DOCUMENT RESUME

ED 375 949 PS 022 703

TITLE	Hearings on H.R. 6, Reauthorization of Elementary and Secondary Education Act of 1965. Hearings before the Subcommittee on Elementary, Secondary, and Vocational Education of the Committee on Education and Labor. House of Representatives, One Hundred Third Congress, First Session (May 13, 25, June 10 and 30, 1993).
INSTITUTION	Congress of the U.S., Washington, D.C. House Committee on Education and Labor.
REPORT NO	ISBN-0-16-044651-1
PUB DATE	94
NOTE	285p.; Serial No. 103-65. Document contains several pages of small print. For hearings held in March-April 1993, see ED 372 819.
AVAILABLE FROM	U.S. Government Printing Office, Superintendent of Documents, Congressional Sales Office, Washington, DC 20402.
PUB TYPE	Legal/Legislative/Regulatory Materials (090)
EDRS PRICE	MF01/PC12 Plus Postage.
DESCRIPTORS	Administrators; Advocacy; Agencies; *Educational Attitudes; Educational Improvement; *Elementary Secondary Education; *Federal Aid; *Federal Legislation; *Hearings; Migrant Education; Migrant Programs; Principals; Public Policy
IDENTIFIERS	Congress 103rd; *Elementary Secondary Education Act; Reauthorization Legislation

ABSTRACT

These hearing transcripts present testimony concerning the reauthorization of the Elementary and Secondary Education Act. Much of the testimony was from members of congress, educators, and representatives of education organizations concerning the efficacy of specific programs and activities funded by the Act, particularly those items that they would like to see expanded or improved. Testimony was heard from: (1) Representatives Robert E. Andrews, Peter Hoagland, Donald M. Payne, Terry Everett, and Lynn C. Woolsey; (2) the director of the National Urban Alliance for Effective Schools; (3) the executive director of the Main Line Project Learning, Brookline School, Havertown, Pennsylvania; (4) a former congressman; (5) four school superintendents; (6) a program manager from the Pennsylvania Department of Education; (7) a senior researcher from SRI International; (8) two elementary school principals; (9) the dean of Montclair State College's School of Professional Studies; (10) three school district officials; (11) the president of the National Association of Migrant Education; (12) an official of the National Association of State Directors of Migrant Education; (13) an education consultant; and (14) the president of the American Federation of Teachers. (MDM)

****
*   Reproductions supplied by EDRS are the best that can be made   *
*   from the original document.   *
****

PS

HEARINGS ON H.R. 6, REAUTHORIZATION OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION
CENTER (ERIC)
☒ This document has been reproduced as received from the person or organization originating it
☐ Minor changes have been made to improve reproduction quality
• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy

ED 375 949

HEARINGS

BEFORE THE

SUBCOMMITTEE ON ELEMENTARY, SECONDARY, AND VOCATIONAL EDUCATION

OF THE

COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

FIRST SESSION

HEARINGS HELD IN WASHINGTON, DC, MAY 13, 25, JUNE 10, AND 30, 1993

Serial No. 103–65

Printed for the use of the Committee on Education and Labor

U.S. GOVERNMENT PRINTING OFFICE
77-967 CC WASHINGTON : 1994

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402
ISBN 0-16-044651-1

PS 022703

BEST COPY AVAILABLE

COMMITTEE ON EDUCATION AND LABOR

WILLIAM D. FORD, Michigan, *Chairman*

WILLIAM (BILL) CLAY, Missouri
GEORGE MILLER, California
AUSTIN J. MURPHY, Pennsylvania
DALE E. KILDEE, Michigan
PAT WILLIAMS, Montana
MATTHEW G. MARTINEZ, California
MAJOR R. OWENS, New York
THOMAS C. SAWYER, Ohio
DONALD M. PAYNE, New Jersey
JOLENE UNSOELD, Washington
PATSY T. MINK, Hawaii
ROBERT E. ANDREWS, New Jersey
JACK REED, Rhode Island
TIM ROEMER, Indiana
ELIOT L. ENGEL, New York
XAVIER BECERRA, California
ROBERT C. SCOTT, Virginia
GENE GREEN, Texas
LYNN C. WOOLSEY, California
CARLOS A. ROMERO-BARCELO, Puerto Rico
RON KLINK, Pennsylvania
KARAN ENGLISH, Arizona
TED STRICKLAND, Ohio
RON DE LUGO, Virgin Islands
ENI F. H. FALEOMAVAEGA, American Samoa
SCOTTY BAESLER, Kentucky
ROBERT A. UNDERWOOD, Guam

WILLIAM F. GOODLING, Pennsylvania
THOMAS E. PETRI, Wisconsin
MARGE ROUKEMA, New Jersey
STEVE GUNDERSON, Wisconsin
RICHARD K. ARMEY, Texas
HARRIS W. FAWELL, Illinois
CASS BALLENGER, North Carolina
SUSAN MOLINARI, New York
BILL BARRETT, Nebraska
JOHN A. BOEHNER, Ohio
RANDY "DUKE" CUNNINGHAM, California
PETER HOEKSTRA, Michigan
HOWARD P. "BUCK" McKEON, California
DAN MILLER, Florida

PATRICIA F. RISSLER, *Staff Director*
JAY EAGEN, *Minority Staff Director*

SUBCOMMITTEE ON ELEMENTARY, SECONDARY, AND VOCATIONAL EDUCATION

DALE E. KILDEE, Michigan, *Chairman*

GEORGE MILLER, California
THOMAS C. SAWYER, Ohio
MAJOR R. OWENS, New York
JOLENE UNSOELD, Washington
JACK REED, Rhode Island
TIM ROEMER, Indiana
PATSY T. MINK, Hawaii
ELIOT L. ENGEL, New York
XAVIER BECERRA, California
GENE GREEN, Texas
LYNN C. WOOLSEY, California
KARAN ENGLISH, Arizona
TED STRICKLAND, Ohio
DONALD M. PAYNE, New Jersey
CARLOS A. ROMERO-BARCELO, Puerto Rico

WILLIAM F. GOODLING, Pennsylvania
STEVE GUNDERSON, Wisconsin
HOWARD "BUCK" McKEON, California
THOMAS E. PETRI, Wisconsin
SUSAN MOLINARI, New York
RANDY "DUKE" CUNNINGHAM, California
DAN MILLER, Florida
MARGE ROUKEMA, New Jersey
JOHN A. BOEHNER, Ohio

CONTENTS

Page

Hearings:

Washington, DC, May 13, 1993 1
Washington, DC, May 25, 1993 83
Washington, DC, June 10, 1993 167
Washington, DC, June 30, 1993 225

Statement of:

Andrews, Hon. Robert E., a Representative in Congress from the State of New Jersey 226
Cooper, Dr. Eric, Director, National Urban Alliance for Effective Schools, Teachers College, Columbia University, New York, NY 38
Force, Richard M., Executive Director, Main Line Project Learning, Brookline School, Havertown, PA 188
Hawkins, Hon. Augustus F., a former Representative in Congress from the State of California, Washington, DC 2
Heyman, Gene, Program Manager, Federal Programs Division, Pennsylvania, Department of Education, Joan Ruskus, Senior Researcher, SRI International; Ivan Small, Assistant Superintendent, Browning Public Schools; Charles Patterson, Superintendent, Killeen Independent School District; John Simpson, Superintendent, North Chicago Community Unit School District 187; and Thomas Madden, Superintendent of Schools, Lemont Township High School District No. 210 95
Hoagland, Hon. Peter, a Representative in Congress from the State of Nebraska 85
Kelly, Patricia A., Principal, Langley Park-McCormick Elementary School, Hyattsville, MD 185
Michelli, Dr. Nicholas M., Dean, School of Professional Studies, Montclair State College, Upper Montclair, NJ 47
Ochoa, Carley, Director, Compliance, Grants, and Parent Outreach, Riverside Unified School District, Riverside, CA 168
Reyna, Tadeo, President, National Association of Migrant Educators, Kingsville, TX; Raul de la Rosa, Director, Washington State Supplementary Education Programs for the National Association of State Directors of Migrant Education, Olympia, WA; Wendell Rollason, Executive Vice President, Redlands Christian Migrant Association, Immokalee, FL; and Delia Pompa, Education Consultant, Boston, MA 230
Shanker, Albert, President, American Federation of Teachers, AFL–CIO 12
Taylor, Dr. Barbara O., Consultant to the National Center for Effective Schools Research and Development, University of Wisconsin–Madison, Lake Forest, IL 24
Toscano, Susan, Principal, Fremont Elementary School, Riverside, CA 175
Wise, Evangeline M., Assistant Supervisor, Chapter 1/State Compensatory Education, Prince George's County Schools, Bowie, MD 177

Prepared statements, letters, supplemental materials, et cetera:

Cooper, Dr. Eric, Director, National Urban Alliance for Effective Schools, Teachers College, Columbia University, New York, NY, prepared statement of 43
de la Rosa, Raul, Director, Washington State Supplementary Education Programs for the National Association of State Directors of Migrant Education, Olympia, WA, prepared statement of 259
Everett, Hon. Terry, a Representative in Congress from the State of Alabama, prepared statement of 165
Force, Richard M., Executive Director, Main Line Project Learning, Brookline School, Havertown, PA, prepared statement of 191

Page

Prepared statements, letters, supplemental materials, et cetera—Continued
- Hawkins, Hon. Augustus F., a former Representative in Congress from the State of California, Washington, DC, prepared statement of 8
- Heyman, Gene, Program Manager, Federal Programs Division, Pennsylvania, Department of Education, prepared statement of 97
- Hoagland, Hon. Peter, a Representative in Congress from the State of Nebraska, prepared statement of 89
- Kelly, Patricia A., Principal, Langley Park-McCormick Elementary School, Hyattsville, MD, prepared statement of 187
- Madden, Thomas, Superintendent of Schools, Lemont Township High School District No. 210, prepared statement of 152
- Michelli, Dr. Nicholas M., Dean, School of Professional Studies, Montclair State College, Upper Montclair, NJ, prepared statement of 50
- Miller, Winford, Consultant, prepared statement of 236
- National Center for Effective Schools Research and Development, Madison, WI, prepared statement of 72
- Ochoa, Carley, Director, Compliance, Grants, and Parent Outreach, Riverside Unified School District, Riverside, CA, prepared statement of 170
- Payne, Hon. Donald M., a Representative in Congress from the State of New Jersey, prepared statement of 71
- Pompa, Delia, Education Consultant, Boston, MA, prepared statement of 271
- Reyna, Tadeo, President, National Association of Migrant Educators, Kingsville, TX, prepared statement of 233
- Rollason, Wendell, Executive Vice President, Redlands Christian Migrant Association, Immokalee, FL, prepared statement of 265
- Ruskus, Joan, Senior Researcher, SRI International, prepared statement of 103
- Shanker, Albert, President, American Federation of Teachers, AFL-CIO, prepared statement of 18
- Simpson, John, Superintendent, North Chicago Community Unit School District 187, prepared statement of 46
- Small, Ivan, Assistant Superintendent, Browning Public Schools, prepared statement of 133
- Taylor, Dr. Barbara O., Consultant to the National Center for Effective Schools Research and Development, University of Wisconsin-Madison, Lake Forest, IL, prepared statement of 28
- U.S. Department of Education response to testimony of Winford Miller 254
- Wisconsin Center for Education Research, School of Education/University of Wisconsin-Madison, prepared statement of 74
- Wise, Evangeline M., Assistant Supervisor, Chapter 1/State Compensatory Education, Prince George's County Schools, Bowie, MD, prepared statement of 180
- Woolsey, Hon. Lynn C., a Representative in Congress from the State of California, prepared statement of 225

HEARING ON H.R. 6, REAUTHORIZATION OF ELEMENTARY AND SECONDARY EDUCATION ACT

THURSDAY, MAY 13, 1993

House of Representatives,
Subcommittee on Elementary, Secondary,
and Vocational Education,
Committee on Education and Labor,
Washington, DC.

The subcommittee met, pursuant to call, at 10:06 a.m., Room 2175, Rayburn House Office Building, Hon. Dale E. Kildee, Chairman, presiding.

Members present: Representatives Kildee, Owens, Unsoeld, Reed, Roemer, Green, Woolsey, Strickland, Payne, Goodling, Gunderson, Petri, and Roukema.

Staff present: Susan Wilhelm, Jane Baird, Margaret Kajeckas, Jack Jennings, Diane Stark, and Lynn Selmser.

Chairman Kildee. The Subcommittee on Elementary, Secondary and Vocational Education convenes this morning for its thirteenth hearing on the reauthorization of the Elementary and Secondary Education Act. The Elementary and Secondary Education Act authorizes the majority of Federal programs designed to improve educational opportunities at the elementary and secondary levels.

This reauthorization is quite possibly the most important one since the Act became law in 1965 under President Lyndon Johnson. The fact that we have an administration and a Congress strongly committed to education gives us a special opportunity to reexamine these programs with the goal of improving education for all children.

I know that today's witnesses are committed to this goal, and I look forward to hearing their testimony. It is a special pleasure to have the former chairman of the Committee on Education and Labor with us today, the Honorable Augustus Hawkins.

Augustus Hawkins, Mr. Chairman, step forward here. Mr. Hawkins has been a very, very important part of my own personal formation. I am not only a better congressman, but I know I am a better human being because of Gus Hawkins. He has been, as I say, a very important part of my formation.

We will have Mr. Al Shanker, President of the American Federation of Teachers, an organization of which I carry almost a 38-year-old card, I think, in the AFT; and Dr. Barbara O. Taylor, Consultant to the National Center for Effective Schools Research and Development, University of Wisconsin-Madison, Lake Forest, Illinois;

Dr. Eric Cooper, Director of the National Urban Alliance for Effective Schools, Teachers College, Columbia University, New York, New York; and Dr. Nicholas M. Michelli, Dean, School of Professional Studies, Montclair State College, from Montclair, New Jersey.

It is my pleasure now to turn to a person who has also been a very important part of my formation, although we are the same generation here, and certainly one who has earned the title Mr. Education here in the Congress, the gentleman from Pennsylvania, Mr. Goodling.

Mr. GOODLING. Thank you, Mr. Chairman. I too want to welcome one of my very special friends, Chairman Hawkins, back to the committee room. But even more importantly, I want to welcome the power behind the show, Elsie sitting right behind him. And she too is a dear friend of mine, and especially, my wife. And I welcome all of you here.

As I say at every one of these hearings, the thing that I want to happen most of all throughout the reauthorization is that Chapter 1 and Head Start become far better programs than they presently are, so that we help to make all the disadvantaged, less disadvantaged, and in some cases, I am afraid, maybe we are making them more disadvantaged with the way some of these programs are operated.

So, hopefully, by the end of reauthorization and markup, we will have an outstanding program that will serve all very, very well, and all the statistics in the future will show that we have really done a great job of improving good programs.

Thank you, Mr. Chairman.

Chairman KILDEE. Thank you very much. I think we will start with our witnesses now and, Mr. Chairman, you may commence. It is good to have you here.

STATEMENT OF HON. AUGUSTUS F. HAWKINS, A FORMER REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA, WASHINGTON, DC

Mr. HAWKINS. Thank you, Mr. Chairman, and Mr. Goodling, other members of the committee. I am very pleased to reappear before the committee in a different function. I speak only for myself, although I wear different hats; and I am very delighted at the very generous remarks that have been made. You, obviously, over the years were somewhat like a soul brother to me; and so if I am critical in some of the things that I may say today, it certainly is out of affection and respect for what you have done, and particularly your rolé on the Budget Committee. I think without you on that committee, I would be a lot more militant this morning than what I will be.

I am very pleased to appear, obviously, with my distinguished colleagues, and I will try to confine myself to as little as possible so that I do not impose on the time of others.

The issue before us today is one which has been around for a very long time. I recall, and I will not reminisce, that in 1965 the Chairman of the Education and Labor Committee today, Mr. Ford, and I started out together. After some struggle, I think we helped to lay the foundation in 1965 for the first real participation of the

Federal Government in the compulsory school systems. I am very pleased. Mr. Ford has been consistent and has earned a position today that gives to him a great opportunity in a very key spot.

As you have said, we have amended the Elementary and Secondary Education Act a number of times. In the earlier days, the problem was one of compliance, possibly more a matter of compliance with the Federal obligations that were imposed in terms of being responsible for the expenditure of public money. And we found that many school districts used their money that was supposed to be used for the disadvantaged, used the money for such things as swimming pools and staff lounges and so forth, which I suppose were very good—could possibly have been justified—but just never seemed to reach the disadvantaged.

So over the years we have tried to correct the omissions and deficiencies in the Act; and I think that in 1988—most of us possibly were here at that time, I think—we did a real decent job. And I am a little surprised that so much of the criticism today is leveled at the Act, and I think some of the people who are criticizing the Act have just not read it. And for that reason, I did include in my prepared remarks several pages out of the Act itself to show what we intended and what we actually said.

A large amount of the criticism—and there is obviously room for criticism, but I would hope that it would be more constructive than what has been—should be based on the law, and not on the way the law has not been implemented and the way public officials have often, who were charged with the administration of the Act, have gone off on their own agenda. Now all of this has rubbed off on the Act.

I would be perfectly satisfied if we just simply reauthorized the current law and extended that, even though we obviously would extend a few of the points that may be changed or should probably be criticized. But some of the criticism has been due largely to the rulemaking after the Act was passed and to the administration of the Act.

As a matter of fact, we have heard since 1988 about every type of proposal, new proposals being made simply because individuals wanted to claim ownership of something new. And we have seen very little administration of the Act as it should be administered.

The Act obviously is—in about its second or third year after the Act was passed, took a year for the regulations to be issued. After the regulations were issued, the districts began tooling up. Many became better acquainted with what the law intended. And even today when I walk into certain schools, I have conversations with principals who don't know a durn thing about the Act or about what is required under the Act. And too many school boards, I think, have not heard about the Act; and I think some of this is due to the fact of a lack of information, technical assistance and so forth, that the Department itself, Department of Education, should have conveyed to the different ones.

Let me be more specific, however, in terms of the Act. And as I say, I have tried to include pertinent sections from the Act in my prepared testimony. For example, the Act itself says that by the year 19—fiscal year 1993, the Act should be fully funded. Well, we are in fiscal year 1993 now. It is obvious the Act is not fully funded. It is very doubtful that—if we move at the current rate, which is almost negative, the Act won't be fully funded by the year 2000. And yet we set out a lot of goals that I assume this committee and the Congress will probably endorse.

Well, goals are wonderful. I listened to Camelot the other night, and Camelot gives you some wonderful things about a fabled city, but we are not living in a fabled city; we are living in Washington, DC, most of us, in our districts back home—far different from Camelot. To simply assert that by the year 2000 every child is going to be ready for school, our kids are going to be first in math and science, I think is rather ridiculous to be talking about it, the way we support that or commit ourselves to the achievement of those goals.

Now, I believe in goals, I think they are wonderful; but if we are not going to commit ourselves to them, and we put them out and individuals think that they are going to be assisted and that every child is going to be assisted to become ready for school, to be first in math and science within seven years, I think is rather ridiculous. It all seems to me more down to one thing, which is the bottom line.

Education is not our top priority. Let's face it. Despite all the rhetoric, education is submerged in a lot of issues. And I suspect that budget deficit reduction is going to still be the obsession around the country. And I was quite surprised yesterday that the President even asserts that it is going to be made into a trust fund. I had hoped that this morning I could suggest, having read Terrel Bell's latest book, The Thirteenth Man, in which he proposed that education be made into a trust fund and that we begin to escalate the funding and whatnot, that we might consider that as one possibility for education to protect it.

But to me, we rise and fall as a Nation by our commitment to education. And as long as we commit ourselves to six or seven other priorities prior to the time that we commit ourselves to education simply means that we don't regard education, despite the rhetoric, as being important enough to fully fund cost-effective programs that, if funded, would in the long run pay for themselves.

I don't think it is a matter of where the money is coming from or whether we can afford it or not. The fact is we cannot afford not to. It means we make the decision, we are making it this year, whether or not we are going to be first—among the first in the nations—among the nations, in the year 2000, or whether we are going to be last. And I think we are losing the opportunity to be among the first, and I think it is unfortunate not only for the children, but for security of the Nation.

We, after World War II, at about the year 1950, we were the sole great superpower in the world. No other nation could touch us, and it was largely because of the evolutionary development of education that we gained that superpower position. We were so rich and doing so well that we went on to help rebuild Europe through the Marshall Plan; and we set aside our commitment to education because we thought we had achieved enough and that while other countries looked at what we were doing and copied what we were doing, we were the first to develop mass education, we were the first to develop strong postsecondary education. And our prestigious universities and colleges are today outstanding.

And yet, we have slipped in our position largely because we got sidetracked; in the early 1930s we began to cut back. Education—elementary and secondary suffered almost a 20 percent reduction. We have regained some of that, but we have not regained as much as we need to, and we need to obviously mobilize at a much faster pace.

So in the Education Act of 1988, we started out by saying that the Act should be funded at the rate of $500 million a year until we reached the year 1993. Obviously, we didn't do it. But that was an incremental increase. If we had done it, we would be at the position today of being able to move ahead faster.

But there is no need talking about achieving goals or to talk about programs and policies unless we are willing to adequately fund it. I indicated in my prepared remarks that for some of the criticisms of the Act, one that does not pertain to high-order skills, and yet in the very purpose of the Act, at the beginning, we said that children would be judged by their performance in the regular classrooms and in the attainment of higher-order skills. That is spelled out, and we said that throughout the Act.

And then in the joint conference with the Senate, the final conference held on the bill—and that was on the Senate side—we dealt with the issue again, and we wrote into the Act at that time that the academic expectations of children in Chapter 1 would be the same as those expected of non-Chapter 1 children at the same age and in the same grade. You can't be any more specific than that.

Yet when the regulations were adopted, there was a long discussion—and I regret that our committee did not play more of a role in the adoption of the regulation; we thought we had done it, that the regulation would follow the law, and I suppose we assumed that the regulations were supported.

The regulation deviated and the school districts, the LEAs and the SEAs began fighting each other, and it was finally decided to adopt minimum standards. But these were primarily the same people who will, under H.R. 1804, be in charge of the goals. And they will also, by reference, be in charge of the standards that will be achieved under the goals.

We will put them into a majority and in control of that agency. And I wonder whether or not they still will take the position they took in the adoption of the regulations, the same position that was taken at the summit, that money is off the table and yet the States have suffered greatly.

Now I can understand why the States are fearful of being given added responsibilities without money to back it up. Because in 1975, you will recall, we passed the Aid to the Handicapped Act. And in that Act we committed ourselves to put up 40 percent of the money so that the handicapped, under their constitutional right, would be included in all school reform. And we have never—have never made good on that commitment. Today, it is down to about 9 percent—it may be 7, the latest amount may be 7—but we have never achieved the 40 percent that we promised the States.

Now, they say, therefore, that we can only commit ourselves to minimal standards because if we commit ourselves to the higher standards, what is going to happen is, we won't get the money, and we won't be able to achieve them; and every school is going to be declared in need of improvement, and it will be an embarrassment to us. And so it is the old thing of what comes first, the chicken or the egg. And the ones who suffer are children.

I have indicated that under existing law we have already legislated a framework. We have legislated the mission of education. We have legislated accountability. We put accountability into the Act. You will recall that Secretary Bennett came before the committee and did a lot of talking about accountability. And we said, oh, yes, okay, we will put it into the Act; and we did-the only thing I ever agreed with Secretary Bennett on—but we put that into the Act.

And so every school today under the Act must show annual improvement, and it must go beyond that and show that every student in those schools is accountable and is achieving; and the school board is made accountable for monitoring what the schools do. And all of this must be followed in an improvement plan with the State, and the State must continue to monitor what local schools are doing. And that monitoring process is there.

Now, if a school does not improve, then it means the State, in a joint plan with the local school district, must undertake an analysis and a study and provide the necessary cooperation and support to make sure that that school will achieve progress on an annual basis.

Now, most of this is in about the second or third year, because as I say, we were delayed in putting the Act into operation. And so we are talking about school districts that, in many instances, are operating in about the second or third cycle under the operation of the 1988 Act.

Now, one justification for what we did do is, there are ideal schools in this country, some ideal districts in this country, that are complying with the law and are doing a magnificent job even with the disadvantaged. And they are proving that it can be done. Now, if some can do it under the Act, taking advantage of it, why is it that others cannot do it? Why is it that people are griping about the pull-out program?

The Act does not require, and as a matter of fact just the opposite, the Act says in the regular classrooms. The Act discourages the dropout, the pull-out program, and yet people are griping that that is what it is supposed to do. They gripe about minimal standards, standards that were imposed by regulations and by what States do, not by what the Act envisioned.

I think the Act, therefore, is a landmark achievement. I think that it will achieve what we want to be done. It needs good implementation.

We have a new Department of Education that says it is going to do a lot of good things, and I think we ought to give them a chance; but I think this committee should be very intensive in its oversight to make sure that it does do what we intended that it should do. And I hope that as we move ahead that we will not only move in a broader sense but with a greater intensity.

I recall that the 1988 Act started in 1986 with a bill introduced by my distinguished colleague, Mr. Goodling. Mr. Goodling and I introduced the bill in 1986. And we conducted hearings not only in this room but hearings, joint hearings with the Senate. We went out across the country and to various places. Everybody had input. We didn't exclude anyone. It was a bipartisan consensus from the very beginning. And it kept that characteristic throughout.

And when we got to the Congress, in the Congress, we had bipartisan support. Only two individuals voted against the Act, and someone with whom I disagreed very strongly politically, Mr. President Reagan, signed the Act in a public ceremony. I think Mr. Goodling attended.

I don't recall, Mr. Kildee, whether you did or not, but I know the two of us attended and some of the other members of the committee.

He might have misunderstood the Act, but he did sign it. And so we have a framework that is a bipartisan product, one that is operating reasonably successfully, and one which has yet to achieve its full vision. And I think to drastically change it—I love standards, high standards, I think we should make them as high as we can possibly make them, but I think that every kid should have the opportunity to meet those standards. And I don't see that happening, and I don't think that those who can't meet the current standards are going to meet the higher standards if we continue to do what we are doing today—just not going to happen.

I think we need a lot more money to do the things, and I think we need a bipartisan approach to get that money. I don't think we are going to get it without a bipartisan approach.

I think the people are looking for us to do something in the field of education. They don't want to be last. And certainly our industries, the ones that we have lost—we have lost our industries one after another.

We pioneered the world into the technology age, and it is ironic that our competitors are today outperforming us in the very thing that we pioneered in. And one after another, in automobile and textiles and chemicals and machine tools, one industry after another, we have lost. We have lost it because we don't have as educated and as well-trained people on the frontline, the average worker, as the other countries do; and we are going to continue to do that, although on the edge of technology, new technology, the brain-skill industry is going to be lost.

We have only about one industry still remaining, and that is a little shaky, and that is the commercial aircraft, and Airbus in Europe is about to take that away. If McDonnell Douglas in my area closes down, I don't know what southern California is going to do or what the country is going to do.

But we have done this because we failed in the very thing that made us great in the beginning and has developed us as a Nation. And it troubles me that we have to be critical, so critical as that. It is time, I think, to reverse our drift and to do what we should be doing.

I am sorry; I took too long. Thank you, thank you, Mr. Chairman.

[The prepared statement of Hon. Augustus F. Hawkins follows:]

STATEMENT OF HON. AUGUSTUS F. HAWKINS, A FORMER MEMBER OF CONGRESS

Since the 1988 Nation at Risk Report, educational reform has been on the Nation's agenda but not at the top except in rhetoric. Some States have made substantial progress, Nationwide, however, performance has not been spectacular and in some ways a disappointment. A few students, the top 10 percent, enjoy the world's best education; most languish in mediocrity; for many, schooling is a failure; and almost a million annually drop out.

Such disparity need not happen. It is deliberately created and maintained because those entrusted with administering the laws, often do not.

Also, the pernicious practice of segregating students by assumed ability (tracking) is widespread and is more political than education.

There is a lot about American education that is good. The big problem is it is not good for everybody.

Making our schools work for everybody has been a central aim of the creation of universal, compulsory, free, and nonsectarian public school system from the beginning. We have been slow in implementing the aim but until recently the evolutionary process has moved in the proper direction.

The issue is not whether we can educate all children. We have demonstrated a remarkable ability to educate to higher order skills and world class standards the most critically disadvantaged children against great odds. It is unfair to expect the schools to always do this but excellence even by exception proves the point.

This committee is to be commended for its landmark legislation and its devotion to our children in general. Once again it is faced with a challenge in the reauthorization of some 14 elementary and secondary school programs expiring this year. By way of proxy, let me discuss Chapter 1 of the Elementary and Secondary Education Act of 1965 as we amended it in 1988.

My purpose in using an existing law as an example is to show that our problem is largely centered in the failure to execute, implement, and adequately fund our rhetoric. The 1988 Amendments contain the flexibility, vitality, and potential to make American education substantially better.

Amendments to the Elementary and Secondary Education Act as amended in 1988

I. Title I. Policy and purpose.

A. Increase funding by at least $500 million over baseline each fiscal year ... with intent of serving all eligible children by fiscal year 1993.

B. Purpose is to improve the educational opportunities of educationally deprived children by helping such children succeed in the regular program ..., attain grade level proficiency, and improve achievement in basic and more advanced skills.

II. Uses of funds (sec. 1011)

A. Innovation projects.

LEA may use 5 percent of its payment and with State approval:

1. make bonus payments to teachers
2. incentive payments for successful progress
3. integration with regular classrooms
4. innovative approaches to parental involvement

B. Also note that under sec. 1013(b)(5) an LEA has discretion to continue to serve in subsequent fiscal year although no longer eligible a school that was eligible in the immediately preceding fiscal year.

III. Each State Educational Agency after consulting with a committee of practitioners organized under sec. 1451(b) must develop a plan detailing measures to be used and standards set, details of joint plans to be used with LEAs in need of improvement, etc.

IV. A local educational agency may receive a grant by filing an application with the SEA describing among several things the needs of students, program goals, and the desired outcomes ... in terms of basic and more advanced skills that all children are expected to master, and which will be the basis of its evaluation under sec. 1090, and in accord with national standards developed under section 1435.

Any discussion of elementary and secondary education in America at the Federal level basically involves the 1965 Act amended as of 1988. (Time limits us to discussing Chapter 1.)

It is noteworthy to point out that systemic change is being promoted but without reference to existing law. It is not made clear what becomes of what we already have, or the existing exemplary programs, or the efforts of outstanding talent. Do we build on these, reinvent, or strike out anew?

Chapter 1 may not be ideal but it is a good starting point. Its authors have never pretended it is a cure-all, the long sought snake-oil remedy. But no constructive alteration can be made—or should—based on wrong assumption of what can be accomplished by upholding the law's clear direction.

For example, current emphasis on norm-referenced testing, remediation, and lower order skills is not a shortcoming of the law but of maladministration, weak rulemaking, and the failure to provide guidance, technical assistance, and the much needed resources.

Other critics, for example, have charged that 30 minutes of pull-out time can damage a child. No one explains whose fault it is. The same critics would oppose making the law more prescriptive. Pulling students out of the regular classroom is not required by the law or even suggested.

And again, the School Improvement Act did not require or suggest making minimal standards the achievement levels expected of any students. Just the opposite.

The success being achieved in some schools and districts should provide models and encouragement that using the law in a cooperative, coordinated, and comprehensive way can produce desired results even with long odds. Interrupting progress can be both wasteful and time-consuming. And time is not on our side.

Education, training, economic development, and social stability are interrelated. Together they are capable of moving the country ahead, permitting us to solve our most difficult problems from welfare to deficit reduction.

Education alone accounts for a substantial share of economic growth and productivity, perhaps as much as 40 percent as Francis Kepple once estimated.

Up into the post-World War II period we recognized this importance. America became the world's sole great superpower largely as a result of our invention of mass public schools, the land-grant college system, and the GI bill after World War II. Our workers acquired the needed skills for the times to enable them to use the technology then available.

Other nations looked at our success and copied what we were doing with some improvements. They invested more in the education and training of their average workers, infrastructure, and domestic research. Their central government cooperated with the private sector in developing and protecting industries in the global markets.

Thus we have lost or are behind in steel, automobile manufacturing, consumer electronics, chemicals, textiles, etc. And face a battle for new brainpower industries where high wages can be paid: biotechnology, telecommunications, robotics, machine tools, material-science, etc.

It is interesting to note our competitors have not found it necessary to compete for low wages, budget reductions, or to make gains at the expense of social programs in education, health, and development of human capital.

We have wasted a decade and perhaps a generation of our children on the wrong policies while other countries moved ahead. We are in a quagmire of debts, deficits, and declining productivity.

Obssessive over-reliance on balancing the budget in the wrong way has led our top leadership to ignore the vital role that education can play in increasing revenues, reducing the costs of social programs, increasing balanced growth and productivity, and promoting social harmony among diverse people. The people have the will and will support leaders who have the courage to exhibit guidance and inspiration.

3

V.

—

"SEC. 1021. PROGRAM IMPROVEMENT.

"(a) LOCAL REVIEW.—Each local educational agency shall—

"(1) conduct an annual review of the program's effectiveness in improving student performance for which purpose the local educational agency shall use outcomes developed pursuant to section 1012 and subsection (b) of this section, and make the results of such review available to teachers, parents of participating children, and other appropriate parties;

"(2) determine whether improved performance under paragraph (1) is sustained over a period of more than one program year;

"(3) use the results of such review and of evaluation pursuant to section 1019 in program improvement efforts required by section 1021(b); and

"(4) annually assess through consultation with parents, the effectiveness of the parental involvement program and determine what action needs to be taken, if any, to increase parental participation.

"(b) SCHOOL PROGRAM IMPROVEMENT.—(1) With respect to each school which does not show substantial progress toward meeting the desired outcomes described in the local educational agency's application under section 1012(a) or shows no improvement or a decline in aggregate performance of children served under this chapter for one school year as assessed by measures developed pursuant to section 1019(a) or subsection (a), pursuant to the program improvement timetable developed under sections 1020 and 1431, the local educational agency shall—

"(A) develop and implement in coordination with such school a plan for program improvement which shall describe how such agency will identify and modify programs funded under this chapter for schools and children pursuant to this section and which shall incorporate those program changes which have the greatest likelihood of improving the performance of educationally disadvantaged children, including—

"(i) a description of educational strategies designed to achieve the stated program outcomes or to otherwise improve the performance and meet the needs of eligible children; and

"(ii) a description of the resources, and how such resources will be applied, to carry out the strategies selected, including, as appropriate, qualified personnel, inservice training, curriculum materials, equipment, and physical facilities; and, where appropriate—

"(I) technical assistance;

"(II) alternative curriculum that has shown promise in similar schools;

"(III) improving coordination between part A and part C of this chapter and the regular school program,

"(IV) evaluation of parent involvement;

"(V) appropriate inservice training for staff paid with funds under this chapter and other staff who teach children served under this chapter; and

"(VI) other measures selected by the local educational agency; and

"(B) submit the plan to the local school board and the State educational agency, and make it available to parents of children served under this chapter in that school.

"(2) A school which has 10 or fewer students served during an entire program year shall not be subject to the requirements of this subsection.

"(c) DISCRETIONARY ASSISTANCE.—The local educational agency may apply to the State educational agency for program improvement assistance funds authorized under section 1405. (p. 155

"(d) STATE ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES.—(1) If after the locally developed program improvement plan shall have been in effect according to the timetable established under sections 1020 and 1431, the aggregate performance of children served under this chapter in a school does not meet the standards stated in subsections (a) and (b), the local educational agency shall, with the State educational agency, and in consultation with school staff and parents of participating children, develop and implement a joint plan for program improvement in that school until improved performance is sustained over a period of more than 1 year.

"(2) The State educational agency shall ensure that program improvement assistance is provided to each school identified under paragraph (1).

"(e) LOCAL CONDITIONS.—The local educational agency and the State educational agency, in performing their responsibilities under this section, shall take into consideration—

"(1) the mobility of the student population,

"(2) the extent of educational deprivation among program participants which may negatively affect improvement efforts,

"(3) the difficulties involved in dealing with older children in secondary school programs funded under this chapter,

"(4) whether indicators other than improved achievement demonstrate the positive effects on participating children of the activities funded under this chapter, and

"(5) whether a change in the review cycle pursuant to section 1019 or 1021(a)(1) or in the measurement instrument used or other measure-related phenomena has rendered results invalid or unreliable for that particular year.

"(f) STUDENT PROGRAM IMPROVEMENT.—On the basis of the evaluations and reviews under sections 1019(a)(1) and 1021(a)(1), each local educational agency shall—

"(1) identify students who have been served for a program year and have not met the standards stated in subsections (a) and (b),

"(2) consider modifications in the program offered to better serve students so identified, and

"(3) conduct a thorough assessment of the educational needs of students who remain in the program after 2 consecutive years of participation and have not met the standards stated in subsection (a).

"(g) PROGRAM IMPROVEMENT ASSISTANCE.—In carrying out the program improvement and student improvement activities required in subsections (a), (b), (c), and (d), local educational agencies and State educational agencies shall utilize the resources of the regional technical assistance centers and appropriate regional rural assistance programs established by section 1456 to the full extent such resources are available.

"(h) FURTHER ACTION.—If the State educational agency finds that, consistent with the program improvement timetable established under sections 1020 and 1431, after one year under the joint plan developed pursuant to subsection (d), including services in accordance with section 1017, a school which continues to fall below the standards for improvement stated in subsections (a) and (b) with regard to the aggregate performance of children served under part A, part C, and part E of this chapter, the State educational agency shall, with the local educational agency, review the joint plan and make revisions which are designed to improve performance, and continue to do so each consecutive year until such performance is sustained over a period of more than one year.

Chairman KILDEE. Thank you very much, Mr. Chairman. I certainly hope that this year we can achieve the bipartisan accord that we had back in 1988. I know Mr. Goodling and you worked very closely. We are trying to do that again this year. And that bipartisan approach worked well when Bill and I were on the Budget Committee together. We both dug our heels in for more money to fund programs like this, and I look forward to working with you to bring about that same accord.

Bill and I want that this year, and we are determined to get it. Steve Gunderson has also been working on that bipartisan approach, and I look forward to working with those two. We'll bring you in as our expert person to show us how it can be done.

Chairman KILDEE. President Shanker.

STATEMENT OF ALBERT SHANKER, PRESIDENT, AMERICAN FEDERATION OF TEACHERS, AFL–CIO

Mr. SHANKER. Thank you very much for this opportunity. I am Al Shanker, President of the American Federation of Teachers, AFL–CIO. I am glad to be here at a time when we are not mostly concerned with damage control and private school voucher issues and can turn to the questions of how to improve education in this country.

I am not going to read my testimony that is submitted. I would like to comment on a number of the points that are within it.

First and very important, we face an immediate crisis which has to do with the effect of the way the formula works in terms of the census count. We know from reading newspapers and from our experience every day that this is a very tough economic period. We have had these changes in the past when States were strong, in some cases, when cities were strong. And as these shifts occurred they were frequently not very huge or there were strong States when there were weak cities; and as the shifts took place, there could be different partners in the Federal system coming in to take care of abrupt losses.

That is not going to happen now, and as a result of the population changes as reported in the census, there will be very massive shifts. They will undoubtedly result in money going to youngsters who can use the money. I am certainly not arguing that they can't, but they will be taken away from youngsters—from places that have not lost any youngsters who need help. As a matter of fact, they have increased numbers of youngsters as well; and what we will have done is—I had a program in place for a number of years, and all of a sudden, a bunch of youngsters who are showing progress, their schools are going to lose that money, lose those programs, and we are going to move them over here. Doesn't make very much sense. And I think we need to do several things.

One is we—I think it is time that we revisited some of the ways in which the formula works, but I also think that it is time that we made a substantial increase in this investment. And a good time to do it is when we are faced with this sort of problem, of taking money away from youngsters.

Nobody says these youngsters don't need it any more, all of a sudden New York City doesn't—has fewer kids who need it, or Philadelphia or Boston; nobody is saying that. So I would very strongly urge that you take a close look at both the formula, but also a substantial increase in the amount of money which would offset the kinds of disastrous shifts that are contemplated.

Now, the second issue I would like to deal with is the issue of standards. And I think what has happened with this legislation, it is not that it is in the legislation; I certainly agree with Chairman Hawkins. But it has got something to do with the way all of our schools run, not just in terms of this legislation. And basically kids get fairly—this is the only country that relies on these multiple-choice, norm-referenced tests. And I don't want to be misunderstood; we do not have a good system to replace them with right now, and to take away what you have before you have something else would be very wrong.

But essentially you get what you test. And the kind of education you would provide for a youngster, if the youngster has to take a sheet and fill in A, B, C or D, recognize something passively or take a guess at something—the kind of education you would provide a child in order to do well on a test like that is fundamentally different from the kind of education you would give a child to be able to read a book that is worth reading or to write a good letter or essay, or to solve a real mathematical problem. It is fundamentally different.

And if you have got this pressure on schools and on teachers to improve and to show results, and if the results are on instruments of this sort, and this is—as I say, it is not just Chapter 1, we do this in the rest of our system as well. So if you look at results, we can see there have been results.

We can see the bottom that used to be there, the large number of youngsters who used to leave school stay long enough to graduate, 17 or 18, but left illiterate or semi-literate, that group is practically gone. But at the same time we see that we have only moved them over one notch. That is very important, very important.

But these lower levels, moving someone from illiteracy to semi-literacy, or from semi-literacy to a very, very low level of functioning, still doesn't bring them to the point where they are going to be able to get a decent job within our society. And what we see is that at the upper end we haven't—either we haven't increased at all the number of youngsters who are really able to do high school level work and ready to enter college, or that has really gone down a little bit in the last 20 years.

So in a sense, the back-to-basics movement, the nature of assessment instruments—we have a whole bunch of things—we did a great job; we went back to basics, and we raised the bottom, and that is an accomplishment. But I don't think that we produced what we needed, which was essentially to use that uplift away from illiteracy and innumeracy to get these youngsters to really move to the point where they can have very different types of lives.

Now, to some extent, the issue of higher standards is not an issue of more money. And here I want to differ a little bit. Bringing in handicapped kids who were not in school before, providing special services for them, clearly was envisioned as and, indeed, has been a very expensive process. But having the same teacher there provide a much richer and better curriculum for the same youngsters who are sitting there, aside from programs that are important, such as teacher training and new materials and new assessments, but the overall costs don't have to change.

Now, there is a very interesting piece of research that was done about eight or nine years ago by Robert Dreben and Rebecca Barr. I think she was then at Northwestern and he is now I think the Chairman of the Department at the University of Chicago. They essentially looked at Chicago first grade classrooms. And, you know, the teachers would divide their class into three groups, Bluebirds, Vultures and whatever. But we all know that basically it was the slow, the average, and the fast group for that class. And what he found was—and what they found was that the slow group, let's say, was only taught 100 words that first year and the middle group was taught 200 words and the top group was taught 300 words.

And each group, on average, learned 50 words under what it was taught. So the bottom group was given 100 but learned 50, the middle group was given 200 but learned 150, and the top group was given 300 and learned 250. And he asked a question, what happened if a kid who was supposed to be in the slow group was incorrectly put into the fast group.

Now there is some test score of that youngster, an IQ score or something was mislabeled, so that they accidentally put the kid who was supposed to be given fewer words into the fast group. Well, he found that those kids did not learn as much as the fast kids. They didn't learn 250 words, they only learned 200. But notice they learned twice as much as they would have been fed, and they learned four times as many as they would have gotten if they had been properly placed.

Now, I think that that is something that we have all experienced, that if you don't provide a challenge—sometimes just providing the challenge can do a great deal.

We don't have a country where our kids go home and do two or three hours of homework a day. For the most part, our kids—when we have kids coming into our schools from foreign countries, what we always hear is that eighth grade kids say that is what they learned in the third grade, wherever they came from, and that they have to do practically no work here at all.

So I think that we need to deal with these curriculum issues, and we need to move toward an assessment system which is going to give teachers and kids a message that the important thing is to be able to read things that are worth reading, the important thing is to be able to—by the way, I am deadly afraid that moving away from the crazy multiple-choice tests that we have now, that we are going to move to a new set of multiple-choice tests that measure critical thinking.

If you want to see if somebody can think critically, let him write an essay, let him try to convince you to pass a piece of legislation or to vote for it or to vote against it. I mean, give the person some real things to do and see how they can persuade, how they can describe, how they can organize thoughts. But, please, no new instruments on critical thinking or creativity or other things like that.

Now, the rest of the world manages to do these things. None of them have these tests. They all have things that youngsters can do orally. They have things that they can manipulate to show they can understand something. They have writing things that they show. I mean, the rest—I mean—but we don't have to reinvent everything, we just have to go to every other industrial country in the world. And most of them—I would say all of them with the exception of the English-speaking countries, where they do well with their elite, but they neglect all their other kids; but that is not true of the other industrial countries, they are doing well with all their kids. So let's take a look at that.

Now, I think that a third part of this—well, that leads to the notion that we ought to deal with important outcome measures. And we favor the motion of moving away from telling people—or even if you don't tell them, if you got the overwhelming majority of people—let's say it is not in the legislation that they have to have pull-outs. But they are practicing defensive education; it is like the equivalent of doctors afraid of malpractice suits giving you five tests that you don't really need or that don't much improve your chances.

But if out there you have got harassed and embattled principals and superintendents, and they are afraid that somebody is going to come in and say they are not managing this money properly; and somebody has told them, well, if you have a pull-out program, they will never come and get you, but if you do anything else, then you are exercising judgment.

Now, the great programs you are talking about—and I agree with you—they are there and they are not doing it that way. But these are people who, you know—in Liz Shore's words, they are sort of people who have a character that is a combination of Machiavelli and Mother Teresa. They are willing to try to bend the rules, they are willing to take risks, they are willing to take these things on.

Unfortunately, we don't have a world full of people like that. And therefore I think we do need to move more toward an outcome-based, and we would strongly support the notion that we lower the threshold in terms of schools that are permitted to use their money in more flexible schoolwide ways, provided that they show results.

Now, I want to touch on just two other points. I have already mentioned, but I want to dwell on the staff development question for a minute. The most important one, when all is said and done, whether schools are centralized or decentralized or who the superintendent is or all these things are very important—Board of Education, dependent, independent districts, all sorts of things.

But when all is said and done, you end up with a teacher locked in a classroom with X number of kids, and what goes on in terms of what it is that the teacher understands or doesn't understand and what it is that the teacher does, together with those youngsters, that makes an awful lot of difference. And one of the things that is missing in American education, and it is present in education in other places—it is also present in the Saturn plant; it is present in any good company or industry—is that people who are the frontline practitioners have the opportunity to talk to each other, to think, to share ideas, and to collectively experiment and try things out.

And what we have got is a system—and this is not just Chapter 1, it is our whole system—but we have got a system of self-contained classrooms in which people rarely have the opportunity to talk to each other, to plan together, to ask over a period of time, well, we haven't connected with these kids by doing this, what can we do, what new ideas, how can we reach them? This doesn't seem to work; is there some other idea? And not just to do it on a schoolwide basis, but to do it on a grade basis or on a departmental basis, if it is in high school, so that the math teachers can get together and say, well, what is known today, are we successfully applying the National Council of Teachers of Mathematics standards, are we—there is very little of that.

And I would suggest that one of the—one of the best things you could do is to look at how to use a piece of this money to pull teachers together on a regular program basis.

I would urge that you read—if you haven't already, look at the work of Harold Stevenson, The Learning Gap, and look at what teachers do in Taiwan and Japan, mainland China, how teachers at a grade level meet together and plan the same lessons together; and when it is all over, ask what worked and what didn't work, and how can we do it better next year, and ask whether that model of community, of inquirers, developing communities of practitioners who are trying to improve what they are doing, whether that wouldn't do an awful lot.

Finally, early childhood, very important issue. And I just want to associate with what Jim Stigler has been saying, both before the Congress and to the administration around the country. I think we need to have it, I think it needs to be high quality. I hope that we don't say that because Head Start has done a great job that every other childhood program or Head Start program is like that. Unfortunately, they aren't. And we ought to concentrate on developing high-quality programs and we ought to concentrate then on making sure that youngsters do not lose the benefits of that quality as they move into our schools. I think having more of these programs in schools and making sure that there is articulation between the early childhood and the early years as they move up in elementary school ought to be a priority in this area.

One last point, and that is, we know that incentives move things. One of the unfortunate aspects of the way the lack of funds in the triage system works is that if a school in a given district does well this year, does well next year, does well the year after that, and if it keeps doing very well, unfortunately eventually it is going to get to the point where the next year it is going to lose all of its funds, and it is going to lose programs and lose teachers. That is a hell of an incentive.

If I were out there, I would say, well, let's just be so slightly better that we keep getting the money, but let's do this so slowly that we don't—I mean, you have almost got an incentive for people not to do that well, that they are going to lose the money. You have got to find a way of dealing with that issue.

Maybe you don't have to keep the money with them forever. Maybe when you get a school that is functioning at a certain level, if you continue giving them the help for a while, you can withdraw it very slowly and maybe they have developed enough expertise and enough of a spirit, enough of a culture within that school so you don't have to keep them on this forever. But I am pretty sure that if you continue doing what you are doing now, which is as soon as you cross that threshold and you are no longer in that percentage of target schools, you lose it all, that that is a heck of a negative jolt. And we ought to see if we can change the way their legislation works so that doesn't happen.

Thank you.

Chairman KILDEE. Thank you very much.

[The prepared statement of Mr. Shanker follows:]

TESTIMONY OF ALBERT SHANKER

Mr. Chairman and Members of the Subcommittee:

My name is Albert Shanker, and I am president of the American Federation of Teachers, AFL-CIO. This appearance is a welcome change from past ones when the priority of those of us with a commitment to a federal role in education was damage control. In the past, you have had to contend with an administration committed to vouchers, so-called private school choice and a very simplistic notion of how to create a movement for educational reform. With a new President in the White House dedicated to improving public schools, you in the Congress and we in the public education arena can consider changes and improvements in the Elementary and Secondary Education Act that would not have been possible before last November.

Chapter 1 represents the largest government program devoted exclusively to the education of poor children. Since the program's inception in 1965, Chapter 1 has undergone many changes. In the beginning, Chapter 1 was a program akin to general aid, except for the requirement that its funds be spent on poor children. Over time, Chapter 1 was changed so that it almost exclusively supports compensatory education programs, virtually all of which focus on basic skills improvement. This focus on basic skills has produced results. Children most likely to be included in Chapter 1 programs have made significant gains, as measured by basic skills tests. Now, however, is the time to seek improvements in Chapter 1. Basic skills will always be necessary, but basic skills are not sufficient. We must have much higher aspirations -- standards -- for poor children, for all children, and that means much higher aspirations for Chapter 1. And if we don't want to leave low-income children behind in our drive to improve student performance, then improving Chapter 1 must be a central part of our strategy for achieving the national education goals.

Before we make suggestions for making Chapter 1 work better, I must ask for your attention to an emergency in our nation's cities that has resulted from the census-driven changes in the distribution of Chapter 1 funds. The change from the 1980 to 1990 Census data as the basis for distributing Chapter 1 funds will result in radical and disruptive shifts of money among and within states. By and large, money will shift from the eastern, midwestern and southern parts of the nation to the west and southwest. We have no doubt that the number of poor children in the regions that gain funds have increased. We are equally certain, however, that the number of poor children in the largest cities of the regions that lose funds has not declined; in fact, most of them are experiencing large increases in the number of poor children.

What this tells us is that the Chapter 1 formula needs to be revisited. Some elements of the formula -- for example, AFDC counts -- are essentially vestigial, while the poverty index seems outdated. In designing a new formula, it is important to remember that Chapter 1 is an education program, not a public works bill. Formula changes should take into account educational needs rather than regional advantages. And I can tell you that the cities that are about to lose substantial amounts of Chapter 1 funds -- cities that did not have enough relative to their students' needs in the first place -- will not be able to cope. They will not be able to achieve even the basic skills aspirations of the current Chapter 1 law, let alone the higher standards we want low-income children to achieve.

There are several ways to deal with the funding losses triggered by the changes in the census data. The most desirable one is to devote enough new resources to Chapter 1 so that eligible poor children everywhere can participate in the program, and we can stop robbing Peter to pay Paul when both are in great need. Since budget austerity is almost certain to be a continuing feature of government for the next few years, if we can't do the right thing then at the very least we should put more money into concentration grants. And with either case, we must still make changes in the Chapter 1 formula to update the criteria used for defining poverty in federal programs. Moreover, it may also be time to phase out some of the fiscal disincentives in the Chapter 1 formula, such as the 120% cap and 80% floor on state per-pupil expenditures. As we well know, there are vast regional differences in education costs and expenditures, and the earnings and contributions of taxpayers differ greatly from state to state. Chapter 1 should not punish states that make greater investments in education. Those states that do more for their school children should not be held back by an artificial limitation on per-pupil expenditures in the Chapter 1 formula.

How, then, to improve Chapter 1 to make it consistent with drive to achieve the national education goals? This reauthorization presents the Congress, the President and the education community with an opportunity to ask the most basic questions about the functioning of Chapter 1 in the past in order to get better results in the future. While recognizing the achievements of Chapter 1, the AFT nonetheless urges Congress to fashion a new Chapter 1 program that is very different from the program now on the books. We believe that much of the red tape associated with Chapter 1 in the past can be safely eliminated in favor of a program that is asked to justify its funding by the results it achieves. We urge that enforceable limits be placed in the new law on the amount of Chapter 1 money that can be spent on administrative costs. We have sent language to the committee that would cap administrative costs at 5%. It may be that even that figure is too high. However Congress chooses to do it, Chapter 1 must not continue to generate ever more administrators or "specialists" or other such personnel who have little or no contact with children in the classroom.

Chapter 1 should also move away from its almost exclusive emphasis on low-level basic skills (though basic skills will always be a necessary part of every child's education). The Chapter 1 program must be part of the way we ensure that poor children are afforded the same opportunity as other children to learn according to high standards. They should not be expected to achieve less than their peers who are not poor and they should not be subject to different tests or more testing than other children. In short, Chapter 1 must be part and parcel of the movement to dramatically improve the achievement of all our students.

One of the ways to do this is to remove the main incentive for focusing Chapter 1 narrowly on basic skills, and that is using low-level, standardized tests to drive accountability. Another is to realize that, although pull-out programs can be excellent, pulling a child out of class for extra help means that the child is missing valuable class time. We want to supplement Chapter 1 children's regular education, not supplant it, and that's what pull-outs tend to do.

I am not calling for an end to testing or accountability in Chapter 1. But Chapter 1 children should not be tested more often than other children and with lower-level tests or test standards. And it is time to phase out these low-level, curriculum-free tests altogether and direct money toward developing and ultimately using better assessments that are based on high standards for what students should know and be able to do -- curriculum-based assessments similiar to the old New York State Regents exams or Advanced Placement tests for high school students. True, these tests are used at the high school level, while Chapter 1 is primarily an elementary program. But the focus on curriculum and rigor these tests have should be a model for all new assessments, and that includes Chapter 1 students at all levels.

Reducing the Chapter 1 program's reliance on low-level testing should also be a signal--to states especially--that more is required from Chapter 1 than basic skills instruction. Nothing serious in regard to raising standards in the Chapter 1 program will occur until directions change on the state level. States, currently the major regulator of Chapter 1 programs, have created a basic skills mold into which programs must fit in order to be assured of state approval. Incentives to teach low-income children the same curriculum as other children await a change of direction from the state level.

One way to move the process along is to enhance the role of the Committee of Practitioners on the state level. Using the existing committee and expanding its role so that more of the educational decisions driving the Chapter 1 program come before this group would be a good start in the process of redirecting the goals of the Chapter 1 program. In addition, AFT supports the lowering of the threshold for school-wide projects from the current 75% to 50%. Lowering the threshold can be a major factor in reorienting the Chapter 1 program toward a more comprehensive educational approach for low income children.

Other problems need to be addressed in this reauthorization, such as schools' losing Chapter 1 funds when they succeed in raising the achievement of their students. This situation occurs because Chapter 1 functions at its core as a triage system. A triage system attempts to assist those most in need and can lead to making choices that are reasonable given the constraints within which Chapter 1 must function but are not educationally sound for many low-income students. This is especially true as it applies to eligibility for Chapter 1 funds. When a school starts to succeed with its students, it is in danger of losing funds to schools that are still struggling; after all, money is scarce. The possibility of a marginally successful school again losing ground due to the loss of Chapter 1 funds then presents itself. If adequate Chapter 1 funds were available, such choices would not have to be made. But until that day comes, a better way of determining Chapter 1 eligibility should be a top priority. The AFT intends to explore this issue further, and you will be hearing from us on this matter. But make no mistake: Money makes a difference for all students, and it especially makes a difference for poor children. Only adequate funding can stop this triage system of shifting funds from marginally improved schools to schools doing even worse.

This is not to say I favor having Chapter 1 be the tail that wags the dog of equalizing our crisis-laden, politically charged system of school finance. Chapter 1 from its inception has had an equalizing effect on school funding and has altered our notions of equitable education funding for the better. The growth of need based education formulas can be traced to Chapter 1. But Chapter 1 must retain its focus on improving the educational performance of disadvantaged children. If Chapter 1 improves the efficacy of the schools poor children attend, it will be achieving its most important goal.

Improving Chapter 1 programs will also depend in large part on new and meaningful investments in staff development. Professional development must be tied to helping staff help children to achieve higher standards in the subject areas outlined in the national education goals. School staff -- teachers, administrators and paraprofessionals -- must be allowed maximum flexibility in determining their needs for staff development and the providers of those services. This is because current staff development programs are typically poorly connected to the needs of children in schools or to the strengths and weaknesses of the staff in those schools. This disconnect does not serve the needs

BEST COPY AVAILABLE

of the students in Chapter 1 programs or of the professionals who are trying to improve their knowledge and skill in reaching their students. Staff development programs must also provide for more time for peer relationships because working together sharing insights is one of the best ways to improve professionals' performance. Every other profession uses collegial relationships as a basis for improved knowledge and performance. It's time for education to do so, too. (A column I wrote on this subject is attached.)

We urge that at least 20 percent of new Chapter 1 funds above the current funding level be used for staff development and that these funds be augmented with state dollars. Programs for staff development should be approved at the school site with decisions regarding the type of program, who provides it and its content made by staff at the site, consistent with Chapter 1 goals. Where appropriate, Chapter 1 funded professional development should include administrators, teachers and paraprofessionals at the school site participating in staff development activities together.

Chapter 1 can play an important role in leveraging school reform, restructuring and improvement. The program presently allows up to 5 percent of basic grant monies to be spent on innovative activities consistent with program objectives. I would urge an increase in this percentage to 10 percent and mandate that states match the federal dollars. School systems nationwide are caught between the need for reform and the constraints posed by state and local fiscal crises. Criteria for how funds for innovative activities can be used should be flexible, with needs determined by states and localities. Funds for innovation also can be an important factor providing schools that are performing poorly with special, expert assistance and intervention. If improvement still does not occur in those schools, a district could use the innovative activities funds to reorganize a school -- including shutting it down and reopening it as a new type of school.

While program improvement is important, one necessary element of student success is increased parent involvement. Parents are an invaluable resource in encouraging and assisting the learning activities of their children and in otherwise supporting and contributing to schools. The Even Start program provides an excellent intergenerational model for helping parents help their children and should be encouraged throughout Chapter 1. Chapter 1 requires schools to provide a means for the active involvement of parents, and the AFT strongly supports such involvement of parents, grandparents or guardians with children currently in the school's Chapter 1 program. Parental involvement also should include training for parents in how they can best help their children succeed in school. And all programs involving parents should stress the Even Start model of providing activities and strategies for parents to use at home to reinforce their children's education.

Greater emphasis on high-quality, early-childhood programs is also a sound direction for future Chapter 1 programs. There is a strong demand from working parents for affordable, high-quality preschool programs, and early childhood education is far more successful and cost effective than delayed intervention in dealing with the problems of disadvantaged children. Class size standards developed by the National Association for the Education of Young Children should be used for children in Chapter 1 programs through grade three. Follow through programs should be expanded to ensure that the gains made in preschool programs are maintained. Headstart should be encouraged in public schools. Even Start should be funded so that all school-wide-project-eligible schools could participate in the program. In addition, Congress should provide funding for the coordination of early childhood services in each school-wide project eligible school.

It has long been the policy of the federal government to assume responsibility for the impact that certain federal activities have on local educational agencies. Federal immigration policies have placed millions of poorchildren with no or limited English proficiency in our nation's schools. Many new arrivals of all ages and without any previous education are enrolled in our schools. State and local school budgets cannot accommodate the many needs of these children. The federal government should therefore reimburse school districts for the severe fiscal hardship these policies have placed on them.

I appreciate the opportunity to appear before you today and I would be pleased to answer any questions you may have. Thank you.

THE NEW YORK TIMES, SUNDAY, MAY 2, 1993

Where We Stand

By Albert Shanker, President
American Federation of Teachers

Working Together

The scene is a tenth reunion and three college friends run into each other. They are all teachers, and soon they begin to talk shop. Two of them are fed up. One says she is a stickler for the rules and pushes her students as hard as she can. The other admits that she tends to be easy on her kids because "They have enough problems already." But as different as their approaches are, the two agree that most kids nowadays are hopeless; they can't or won't learn.

On the other hand, the third teacher, who teaches in a school with the same kinds of students as her friends, says that most of her kids are good workers and achievers. She is now trying some new ways of running her classes. Cooperative learning is one of them, and so far the youngsters are doing well.

How can we account for the friends' different attitudes and experiences with their similar students? It could be differences in talent or temperament, but a recent study, "Contexts That Matter for Teaching and Learning," by Milbrey McLaughlin and Joan Talbert, suggests another possibility. McLaughlin and Talbert found that the degree of collegiality in a school, and especially a department within a school, makes an enormous difference in teachers' response to their students and in students' achievement.

Teachers in a professional community feel more positive about their teaching, and their students are more successful than youngsters taught by noncollegial teachers

The survey involved nearly 900 teachers in 16 California and Michigan high schools. In noncollegial settings, where teachers seldom if ever discuss their teaching with colleagues—and would be uneasy doing so—McLaughlin and Talbert found that teachers tend to stick with the methods they are used to. And they do this even if the methods do not and have never worked very well. As a result, they often get discouraged, and they often conclude that their students are not capable of learning.

But in collegial settings, teachers are accustomed to consulting colleagues and using them as resources. Not only does this provide help with immediate problems, it also leads teachers to continually look at and question their teaching practices and work to make them more effective. McLaughlin and Talbert's data show that teachers in this kind of professional community feel more positive about their teaching and their students and that their students are substantially more successful than youngsters taught by the noncollegial teachers.

We can see the connection between collegiality and good teaching in the successful schools of some other industrial nations. As Harold Stevenson and James Stigler tell us in *The Learning Gap* (New York: Simon and Schuster, 1992), one reason Asian teachers get excellent results with their students is that teachers in a given grade work together, over time, to plan and then to revise their lessons.

Other professions also understand this connection. Lawyers routinely consult each other about their cases, and education reformer Phillip Schlechty describes how health-care providers in teaching hospitals hold a "mortality and morbidity conference" after a patient dies. Everyone who had anything to do with the patient is involved in reconstructing the record of treatment. What was the diagnosis on admission? What treatments were ordered? What were the results? And what might have been done differently? These conferences are not a way of assigning blame. They are an ongoing education program that helps the health professionals analyze their performance and decide how they might improve it.

McLaughlin and Talbert's findings about good teaching and collegiality have important implications for professional development and for school reform. Most districts think of professional development in terms of courses or workshops that train teachers in what is considered good teaching practice. But what kind of course or training session could possibly compare with a group of teachers acknowledging problems, sharing ideas, trying new ways of doing things and evaluating results on an ongoing basis? And what kind of school reform instituted from the outside could possibly be successful without this kind of professional community to support it?

Because the professional community the study talks about involves teachers' working together at a school level, some people will be reminded of shared decision making, a strategy for education reform that has lately swept the schools. The two are not inconsistent with one another, but shared decision making is usually a question of school governance and administration—how will the bell schedule be set up or where will the computers be relocated? In contrast, collegiality has a powerful effect on the quality of teaching—in other words, on the basic mission of the school. If McLaughlin and Talbert are right, the best investment the national or state or local governments could make in education would be to start helping to build this ongoing process in all our schools.

To order "Contexts that Matter . . ." send a check for $[illegible] payable to Stanford Univ., to Julie [illegible] Teacher Context Center, CERAS Bldg., Stanford, CA 94305-3084.

Chairman KILDEE. Dr. Taylor.

STATEMENT OF DR. BARBARA O. TAYLOR, CONSULTANT TO THE NATIONAL CENTER FOR EFFECTIVE SCHOOLS RESEARCH AND DEVELOPMENT, UNIVERSITY OF WISCONSIN-MADISON, LAKE FOREST, ILLINOIS

Ms. TAYLOR. Good morning, Mr. Chairman, members of the subcommittee. I am Barbara O. Taylor, a consultant for the National Center for Effective Schools Research and Development, which is housed at the University of Wisconsin-Madison. I am privileged to be here today before the Subcommittee on Elementary, Secondary and Vocational Education.

There is a great opportunity at this juncture to translate into action the rhetoric of school reform. We have the knowledge, the leadership in Washington, the national climate to forge ahead. It is a very auspicious moment.

For over 30 years, I have worked for school improvement and school reform, first in public policy and program development in the public schools in New Haven, Connecticut; then as a graduate student in the Division of Field Studies at Northwestern University in Evanston, Illinois; then as a research associate and an executive director for the National Center for Effective Schools; and now as a consultant for the same center. I am also currently a member of the design team for the Hudson Institute's Modern Red Schoolhouse, which is part of the New American Schools Development Corporation competition. As politicians, you see, I have a mixed bag.

Today I am interested in demonstrating to you how well the Effective Schools Process has guided efforts of school practitioners all over the United States as they have gone about school reform and school improvement. Those ideal schools and districts that our friend Chairman Hawkins has talked about today are mostly Effective Schools that have—and districts, that have used this process, whether they have worked with the national center or with all of the people that are now training for the Effective Schools Process. I wish to persuade you the Effective Schools planning and implementation is as necessary an ingredient to Goals 2000 as it was to the Hawkins-Stafford amendments.

First, I will place the Effective Schools Process in the current picture of school reform. Then I will describe how the process interacts with certain innovative programs as an implementation and change process for those programs. Finally, I will attempt to demonstrate the overriding need to adhere to the language of the Hawkins-Stafford amendments; that is, to continue to specify that at least 20 percent of funds available for State programs in Chapter 2 shall be used for Effective Schools programs.

First, to place the Effective Schools Process in the context of the current school reform picture, I believe we need first to focus on and to emphasize the fact that we do have an applied research base which informs and demonstrates the successful teaching of all children, and the successful building of Effective Schools. In other words, we think we have what it takes to transform schools into learning communities that serve all children well.

This book that I wrote with Pamela Bullard is filled with examples of people that have used this process to reform their schools. All of the schools and districts mentioned in the book have used the Effective School Process for school improvement, whether they worked for the center or whether they worked with many other organizations.

We discovered three interesting facts while we were writing the book. First, we are well beyond the difficult fusion stage of school reform in some school distribution all over the country. Our book documents the many schools and school districts that have adopted the Effective Schools Process and successfully reformed their schools and classrooms. These districts have shown progress in raising student performance outcomes for all children for three years or more.

The organization of the district schools and classrooms has been rearranged, "restructured," if you will—that word is, I guess, the buzz word that has been here for a long time; we used back in the 1970s—anyway, rearranged to support the classroom teacher in her efforts to reach and teach all children. These reorganizations, plus new teaching practices learned by teachers and principals, have made changes in the classroom procedures and activities that have led to better performance by all children.

Second, from the statehouse to the schoolhouse, the need is now not for mandates, as we know, and as you have demonstrated in your Goals 2000 Act, but for alignment of policy which encourages school change and imparts good information to practitioners so that they are motivated to do the hard work of school reform. Again, incentives.

The Goals 2000 Educate America Act is well-written legislation. This bill should go far to encourage States to reform and improve their services to districts and schools as long as the emphasis is on districts and schools and not on what the panels and the new councils are doing.

Third, the Federal Government does have a role to play, and I was sure that you are all glad to hear that this morning. Legislators and the executive branch must form bipartisan initiatives to encourage systemic school reform. The reauthorization of the Hawkins-Stafford Amendments is a good place to start.

While the new mechanisms planned in Goals 2000 may be helpful to focus attention on what needs to be done, the hard work of local school reform will be carried out with public moneys appropriated to the Hawkins-Stafford Amendments. These moneys have been and will continue to be the single most important source of public moneys for staff development retooling, if you will, for school reform.

Now then, what is the relationship of the Effective Schools Process to the innovative programs of school improvement and initiatives? I suggest that the fundamental tenets of systemic school reform are found in the research base known as Effective Schools Research. The present language of school reform was captured early on in the description of the essential characteristics of Effective Schools. You know them. They are all over the United States, and you have heard them; and many people think they came from school reform Acts. They came from research that was done in the 1970s.

The high expectations for all students, teachers and administrators, a clear and stated mission, instructional leadership of principals and teachers, a safe and orderly climate conducive to learning, academic emphasis and opportunity to learn; we had that on our docket back in the 1970s. Frequent monitoring of student performance, positive home-school relations; does this sound familiar to you? Does it sound like the language of Goals 2000? It does.

These characteristics of Effective Schools, offspring of the original so-called Corollary of Effective Schools, have continued to be the guides by which many other researchers and educators have built their programs and processes for school improvement.

Some programs, like Jim Comer's, developed alongside the Effective Schools Process, and he and Ron Edmonds used to change—used to share what worked and what didn't work, and they sort of borrowed from each other. They are quite different programs, they are both successful. Others, like Bob Slavin's Success for All were funded on knowledge of organizational change and development generated by interest in Effective Schools Research.

Transformational outcomes-based education, otherwise known as outcomes-based education, is part and parcel of Effective Schools Research, with special emphasis and development on the student monitoring system carried out by its creator, Bill Spady. At the same time, the decade of the 1980s we are talking about now, the Effective Schools development was taking place, much was learned about the teaching for learning for all children.

Eric Cooper's comprehension and cognition, Levin's accelerated schools, whole language, cooperative letters, cooperatively guided mathematics and many other pedagogical techniques have been developed and elaborated on. I could go on and on.

The important conclusion I wish to make is this. Five years ago the Effective Schools Process was the only game in town. It was differentiated by its research base and its comprehensive scope. Today, many researchers and educators have developed parts of the Effective Schools Process far beyond what the original researchers for Effective Schools imagined. This is what I am trying to point out to you, that the things out there are working together, there is a concerted action going on which is really pulling everything together. This is why your opportunity is great at this point.

Therefore, I submit, the time has come to proclaim, we know how to teach all children, we know how to build Effective Schools. We know through the Effective School Process how to deal with change. The Hawkins-Stafford Amendments of 1988 began the nationwide dissemination of many Effective Schools principles which have led to school reform.

The emphasis on systemic reform was in the Hawkins-Stafford Amendments of 1988: the emphasis on the efficacy of the Effective Schools Process, which includes equity in excellence, the high standards of performance and quality education for all students, the stated mission, shared values, consensus building, shared decisionmaking, school-based management, staff development planned by teachers, monitoring of student performance outcomes, portfolio assessment, authentic assessment, professional discretion in the delivery of services and delivery standards that lead to the accountability of all students and educators which is built into the system.

There is concerted school reform, school improvement effort now emerging in the field; and this effort is demonstrating a convergence around the research knowledge of what works. In other words, the ideas are coming from the field to the universities and people are starting to realize at the universities that they must do this applied research and continue to watch what is happening in these demonstration sites to really stay on the cutting edge of policy and program initiatives.

No overhaul in the Hawkins-Stafford Amendments is needed. Rather, we must direct our energies to implementation of appropriate school reform projects using the Effective Schools Process, or if there is another one out there, that process for change. Indeed, we must train educators all over the United States in this process for school improvement and school reform, and Mr. Shanker's AFT has a wonderful—very good start on this; and they have about, I would say, 85 percent of what they need to reform their schools.

The professional development training modules for the Effective Schools Process are now being disseminated across the country at all levels of the public education system—the regional labs, the State departments of education, school districts and schools, communities and organizations, including the National Council for Staff Development and the Association for Supervision and Curriculum Development. The Hawkins-Stafford Chapter 1 and Chapter 2 moneys are the lifeblood of this dissemination effort.

In conclusion, I would like to say that Goals 2000 will establish among all levels of public education a call for cohesive action and even collegial collaboration, which is very rare in education, to get the job done. This Federal leadership is warmly welcomed, but the workhorse is still the Hawkins-Stafford Amendments.

We recommend that your committee consider asking Congress to approve the $500 million increase in appropriations recommended as a yearly increment when the Hawkins-Stafford Amendments were passed in 1988. We hope much of this money will go for staff development.

In closing, it is up to us. We know how to do school reform, and our school children are counting on us.

Chairman KILDEE. Thank you very much, Dr. Taylor.

[The prepared statement of Ms. Taylor follows:]

Testimony before the
Subcommittee on Elementary, Secondary and Vocational Education
Committee on Education and Labor
United States Congress, House of Representatives
by Barbara O. Taylor, Ph.D.
National Center for Effective Schools Research and Development
Wisconsin Center for Education Research
University of Wisconsin-Madison

Regarding the Hawkins-Stafford Amendments of the Elementary and Secondary Education Act of 1965

Executive Summary

Conclusion

The Goals 2000 Educate America Act and the reauthorization of ESEA are paramount to keep Chapter 1 and Chapter 2 monies flowing into schools as they try to integrate innovations into their present educational programs. The Hawkins-Stafford amendments of April, 1988 form the best legislation to accomplish the fundamental hard work of school improvement and school reform. Federal monies for professional development and training using the Effective Schools process should continue to be made available through state departments of education.

The appropriation levels for Chapter 1 and Chapter 2 monies (Public Law 100-297) should be increased $500,000,000 each year, as recommended when the Hawkins-Stafford Amendments were passed in 1988. These added monies should be appropriated in FY '94.

1. We do not need more studies to know how to create Effective Schools.* We need public monies for training and implementing the Effective Schools Process and attendant innovative pedagogical programs like the Comer process, Mastery Learning, Cooperative Learning, Comprehension and Cognition, Slavin's "Success for All," etc.; all of which are compatible with and incorporate elements of the Effective Schools Process.

---

* The capitalized phrase Effective Schools Research and Effective Schools Process, and Effective Schools are all service marks of the National Center for Effective Schools Research and Development (NCESRD), University of Wisconsin-Madison, and denote the comprehensive change process developed and espoused by NCESRD. (See Definition of the Effective School Process attached.)

4. The name of the game in the next five years will be professional development - "retooling" if you will - to build capacity for change at the school site, and to encourage classroom teachers to expand their teaching repertoires so that all children are reached, all children are taught, and all children learn. Opportunity to Learn standards and curricular alignment will help build the school's capacities for renewal and change.

5. Practitioners have already begun the improvement/reform process. The book Making School Reform Happen (Allyn and Bacon, 1992) by Pamela Bullard and Barbara O. Taylor, documents and synthesizes the current state of Effective School Reform in the country, as well as the state-of-the-art of certain innovative programs.

2. The Hawkins-Stafford amendments (Public Law 100-297) are well written and have made available to states Chapter 1 and Chapter 2 monies for school planning and reform programs. It is essential that these monies continue to be increased. They are the life blood of successful school reform processes.

3. States should be encouraged to use the Effective Schools Process, as Kansas, Connecticut, and Nebraska have done, in order to effect school reform, school improvement, and the realignment of state and district policy. Monitoring systems, like the one in Kansas or Connecticut should be set up to chart progress and encourage results, to give information to states, districts and schools about their reform initiatives.

Testimony before the
Subcommittee on Elementary, Secondary and Vocational Education
Committee on Education and Labor
United States Congress, House of Representatives

by Barbara O. Taylor, Ph.D.
National Center for Effective Schools Research and Development
Wisconsin Center for Education Research
University of Wisconsin-Madison

Regarding the Hawkins-Stafford Amendments of the Elementary and Secondary Education Act of 1965

I We think we have what it takes to transform schools into learning communities which serve all children well.

We commend the Department of Education for the bill, Goals 2000 Educate America Act, (H.R. 1804) a product of the contributions of many interested constituencies.

The Hawkins-Stafford Act (Public Law 100-297), passed April 28, 1988, also incorporated the good thinking of many constituencies. Many public hearings were held, and testimonies were documented to produce the well-written, comprehensive bill. The result is that we are fortunate to have fundamental law which has supported the efforts of school practitioners, citizens (including parents of students), and elected officials if they wish to improve and even reform their public schools, so that all children are well taught and all children learn.

The "if" in the above sentence is consciously placed. The present state-of-the-art research knowledge of school change is sufficient to produce good schools for all children; therefore it is possible for communities to bring about those improvements or reform it wants for the public schools in its domain. Communities will also decide whether the hard work of change will be sustained over time, by ensuring that schools are continually improving.

We need no more large studies. What we need is the opportunity and incentives to continue to apply what we know in public schools and districts throughout the country. The Education Reform Act (Goals 2000 Educate America Act) with the Hawkins-Stafford amendments are sufficient to the task we must begin on a large scale. Full funding of this act and of these amendments used for professional development programs, training for "re-tooling" if you will, will go a long way to set school practitioners on the road to successful school reform.

Indeed, we know how to teach all children. We know how to build Effective Schools. The literatures of Effective Schools Research and effective teaching overflow with findings about "what works" and what doesn't work in school improvement programs. The Effective Schools Process, professional development training (through the National Center for Effective Schools, and certain regional educational laboratories) for which is now underway after two years of testing, is a comprehensive change process which addresses content and process elements which can lead to successful school reform and school improvement. "Will and skill are necessary," says Matthew Miles, prominent educational researcher on school improvement. Political will, commitment, and professional development at all levels are the needed ingredients.

Status of the Effective Schools Process for School Reform:

The Effective Schools Process (ESP) is a systemic reform process that can be used for comprehensive change ("restructuring"), or for implementing school improvement ("program initiatives"). Its best application is for school reform, which means reforming our public education system from the classroom to the state department of education and back again, so that all children receive a quality education, defined in terms of both equity (equality of opportunity) and of quality (high standards of performance).

BEST COPY AVAILABLE

Does this sound like what we've been looking for? We think it is what has been needed since the call for school reform began in the late seventies. That is why many state departments of education, regional educational labs, outreach centers at universities, and practitioners, and the National Center for Effective Schools Research and Development, have been working together (and independently) over the past decade to accomplish the development and refinement of the Effective Schools Process.

There is a concerted effort to develop many integrated programs around concepts influenced or actually defined by the Effective School correlates. Essentially the same things are being discovered by different groups of applied researchers. The result is a convergence in the field about "what works." The book authored by Pamela Bullard and Barbara O. Taylor, Making School Reform Happen, tells the many stories across the land of efforts by practitioners to improve and reform their schools. Most of these stories are based on over 400 interviews and case studies of certain districts and schools that have been able to transform their schools and districts using the Effective Schools Process for school change. (Taylor, 1990)

The Effective Schools Process begins with the tenet, "All children can learn; therefore we will restructure our schools and districts to support the classroom teacher in her efforts to teach all children." ESP is a curricular development process which takes Effective Schools and effective teaching concepts into consideration and links them in a comprehensive change process. The ESP brings together all involved adults (and students in high schools) in a shared decision-making process, built on common values and consensus about what is important for our children to know and be able to do in order to lead productive, growing lives after they graduate from high school or college.

(A short history of Effective Schools, which appears in Making School Reform Happen is attached to this testimony.)

II The so called correlates of Effective Schools, developed and expanded, are to this day the fundamental building blocks for successful school reform. In terms of the literature of Organization Behavior, the "correlates" or characteristics of Effective Schools, are the organizational design elements which can be manipulated to promote momentum for change and successful reform.

While many researchers think the correlates of Effective Schools are "old hat," those researchers who have stayed with Effective Schools development efforts have been able to refine and discover the powerful dynamics these elements afford the change process, especially at the school site. So-called "process" elements and "content" elements are included in the ESP training for professional development, and the training produces practitioners who can analyze and focus on what needs to be done at a particular time in the change process. Practitioners continue to use the correlate as buoys or beacons to mark their voyage through the shoals of change and unpredictability. Policymakers using the language of the Effective Schools correlates (high expectations, instructional leadership, monitoring of student performance outcomes, safe and orderly environment, clear and stated mission, positive home-school relations) are able to align state and local school policy so that all the pieces fit. The comprehensiveness and systemic qualities of the Effective Schools Process did not happen by chance; they were developed by consultants and practitioners over time. (Levine and Lezotte, 1990)

III Continuity of Development of the Effective Schools Process (1976-1993)

From the beginning, the Search for Effective Schools (1974) was a project which centered on the fact, "All children can learn," and sought to find maverick schools where all students were learning and progressing in their academic studies. The early interest in effective schools research and allegiance to the "effective schools movement" resulted from this belief, which spurred both the original search for effective schools and the early hope for discovery of how to create effective schools.

However, few researchers who began to study effective schools stayed with the movement and development of the total process beyond certain aspects of the process which they thought were important. For instance, by 1985, William Spady was developing the monitoring-assessment correlate which would become Outcome-Based Education (OBE). Other researchers, such as James Block (Mastery Learning) and Matthew Miles (study of school change and innovation), and James Comer developed what they referred to as "expanded" or "part of the general effective schools research." For example, James Comer, who developed the Comer process, proceeded to plan very deep interventions for troubled schools at the individual (child development and psychology) level. The Comer process developed before and alongside the Effective Schools Process, and Comer and Edmonds found more similarities between the two than differences (1982 Conversation, published 1989).

Also, Ted Sizer's Coalition of Essential Schools was just beginning in 1985, and eight years later is working with 200 schools across the country to achieve better results in student performance. (Sizer has stated that he lacks an "implementation process" like the Effective Schools Process which takes into consideration the contextual elements of each school.)

Henry Levin's Accelerated Schools has refined a process early implementers in Effective Schools (for example, the RISE project, Milwaukee) used to keep children on level and learning, especially where there were problems with high mobility in the districts. Levin's purposes are slightly different and emphasize the newer aspects of cognition and comprehension. Levin has successfully joined some of the newer research discoveries with established aspects of learning theory, with great creativity.

Robert Slavin's Success for All, like Levin's Accelerated Schools, combines new pedagogical procedures and practices with scheduling and grouping practices, based on early childhood education, Effective Schools, and effective teaching research. It is targeted for pre K-2 grade levels.

The National Urban Alliance's Comprehensive and Cognition training program helps classroom teachers and Chapter 1 teachers to learn how to form consensus on and promote higher order cognitive processing. The process includes many Effective Schools components and is well integrated.

Many of the pedagogical processes that became the "Teacher Effectiveness" literature of the seventies and eighties were studied in the sixties. These studies led to Mastery Learning (Bloom, 1976; Block, and Anderson, 1975), Individually Guided Education (Klausmeier, et al, 1968, 1977), Cooperative Learning (Johnson and Johnson, 1984) and other programs which now are passing for "school reform," but actually are pedagogical and curricular procedures and practices, rather than school reform or restructuring. Very often these programs are implemented without changing school or district organizational arrangements to accommodate and support them. In these cases it is almost impossible to sustain pedagogical innovations over time.

Effective Schools and effective teaching are complementary literatures which meet at Classroom Management techniques for the teacher, and Instructional Leadership skills and practices for the principal. All of these components have been well addressed as described above. In Effective Schools and Effective Districts, these components form the fundamental policies, procedures, and practices of curricular development and school reform.

IV Importance of Student Monitoring, Program Assessment and an Accountability System

Where the rubber meets the road for all of these initiatives is the data collection, data interpretation and decision-making processes of the Effective Schools Process, known as the student monitoring system for schools and districts. The student monitoring system was not well implemented in most Effective School districts until district structures were studied and changed by the ESP beginning in the middle eighties.

Attached to this monitoring system, but separate from it is the accountability system for Effective Schools. The purpose of the monitoring system is to assess student achievement and to monitor student performance in order to make classroom and school decisions and to improve instruction and learning for all. The purpose of the accountability system is to report progress of individual teachers and schools, and to make adjustments through professional development, teacher assignment, and teacher evaluation where needed.

The accountability system built into the Effective School Process is the "oversight system" which takes the data from the student monitoring system and uses it in program and personnel evaluation. To our knowledge, the Effective School Process is the only process which actually hold practitioners and students responsible for student outcomes and teaching efficacy.

V Concerted Action Needed: Working Together in New Ways

It is evident from the above synopsis of the present school reform scene that researchers and practitioners are finding a variety of ways to improve the climate and some pedagogical practices in their schools. School-site management and Assertive Discipline are examples of new governance/authority/discipline systems that can improve the workplace environment enormously. But unless these new arrangements (structures) are attached to a process like ESP that clearly states a mission for the district and for the school site, (and sets priorities, goals and objectives in its school and district action plan), the student outcomes are unlikely to improve - especially for at-risk students. Certainly without a feed-back monitoring system, which supplies timely and accurate data for decision-making in the classroom, improvement for all children is unlikely to occur. (Taylor and Levine, 1991)

It is not enough to train teachers in new pedagogical practices. Little progress will be made if we do not change school and district structures (policy, planning, and reporting procedures) and even state school codes to support these new practices. For instance, Cooperative Learning cannot be accomplished in a half-hour teaching segment. Rather a segment of 80-100 minutes is needed, and teachers need to be trained on how to orchestrate this new, longer (perhaps inter-disciplinary) time. Scheduling and grouping become part of pre-service and in-service training. There also will need to be changes in the teacher contract to allow her this type of flexibility in her classroom. Finally, accountability and monitoring are essential to find out how much children are actually learning in these new classroom arrangements. Teachers will need to be able to use computer software (available now) and op-scan tests to make certain their new practices are efficacious.

It all goes together.

There is much concerted effort being made all over the country to inform school reform. Now is the time to implement new organizational arrangements from the state level to the classroom to make it possible for schools to actually reform themselves. However, professional development training monies are becoming scarce. Also, without state encouragement, new policies (and waivers or erasing of old policy), and commitment of local communities, even the best professional development at the local level may be in vain.

Certainly the Effective School Process does not assure successful school reform. But it is the best comprehensive change process we know (see attached The Effective School Process by Rossmiller, et al) to make school reform more probable and to increase the chances for equal opportunity to learn and quality education for all. The Goals 2000 Educate America Act will set in motion many new structures on all levels of education. We hope that rather than forming new bureaucratic procedures, the Act will promote continuous improvement at the school district and school level.

Conclusion

The Goals 2000 Educate America Act and the reauthorization of ESEA are paramount to keep Chapter 1 and Chapter 2 monies flowing into schools as they try to integrate innovations into their present educational programs. The Hawkins-Stafford amendments of April, 1988 form the best legislation to accomplish the fundamental hard work of school improvement and school reform. Federal monies for professional development and training using the Effective Schools process should continue to be made available through state departments of education.

We have the research base, the training programs, and structures at the regional, state, and intermediate levels needed to train trainers and teams of practitioners in school districts and schools in the process of school reform and effective teaching.

BEST COPY AVAILABLE

The appropriation levels for Chapter 1 and Chapter 2 monies (Public Law 100-297) should be increased $500,000,000 each year, as recommended when the Hawkins-Stafford Amendments were passed in 1988. These added monies should be appropriated in FY '94.

Our public school students deserve nothing less.

References

Testimony to House of Representatives
Committee on Education and Labor, May 13, 1993
Barbara O. Taylor, Ph.D., Consultant
National Center for Effective Schools Research and Development
Wisconsin Center for Education Research
University of Wisconsin-Madison

Bloom, B. S. 1976. Human Characteristics and Learning. New York: McGraw-Hill.

Block, J. H., and Anderson, L. W. 1975. Mastery Learning in Classroom Instruction. New York: Macmillan.

Bullard, P. and Taylor, B. O. 1992. Making School Reform Happen. Boston: Allyn and Bacon.

Johnson, D. W. and Johnson, R. T. 1984. Cooperative Learning. New Brighton, MA: Interaction Books.

Klausmeier, H. J., Rossmiller, R. A., Saily, Mary. 1977. Individually Guided Elementary Education. New York: Academic Press.

Levine, D., and Lezotte, L. 1990. Unusually Effective Schools. Madison, Wisconsin. National Center for Efective Schools Research and Development.

National Center for Effective Schools Research and Development. 1989. A Conversation Between James Comer and Ronald Edmonds: Fundamentals of Effective School Improvement. Okemos, Michigan.

Taylor, Barbara (editor). 1990. Case Studies in Effective Schools Research. National Center for Effective Schools Research and Development. Dubuque, Iowa: Kendall/Hunt.

Taylor, B. O., and Levine, D. 1991. Effective Schools Projects and School-Based Management. Phi Delta Kappan. pp. 394-397.

Testimony before the
Subcommittee on Elementary, Secondary and Vocational Education
Committee on Education and Labor
United States Congress, House of Representatives
by Barbara O. Taylor, Ph.D.
National Center for Effective Schools Research and Development
Wisconsin Center for Education Research
University of Wisconsin-Madison

Regarding the Hawkins-Stafford Amendments of the Elementary and Secondary
Education Act of 1965

Annotations on Attachments to this Testimony

1. The Effective Schools Process:

This comprehensive definition of the Effective Schools Process is the recent product of Rossmiller, Holcomb, and McIsaac of the staff of the National Center for Effective Schools Research and Development (NCESRD), University of Wisconsin-Madison. It has been widely disseminated and accepted by researchers and practitioners in the field. It was published to clear up misunderstandings of what the process entails in its present form.

NCESRD is the organization that, since 1986, has been the ongoing center for Effective Schools Research and Development in the United States.*

2. A Short History of the Effective Schools Movement in the United States:

Bullard and Taylor, Making School Reform Happen (Appendix B). This history is found to be authentic by NCESRD, and by Lawrence W. Lezotte, Ph.D., and Wilbur Brookover, Ph.D.

3. A Selected List of School Districts That Have Implemented Effective Schools Successfully:

Bullard and Taylor, Making School Reform Happen (Appendix C). Not intended to be inclusive, this list furnishes the reader with names of districts the NCESRD and the authors feel have met specified criteria of the Effective Schools Process.

4. NCES (National Center for Effective Schools Research and Development) Team Training List and State Departments of Education:

These teams and state departments of education have been trained in School Based Instructional Leadership (SBIL), a comprehensive professional development program for learning the Effective Schools Process for school reform/school improvement.

5. Effective Schools Project and School-Based Management

Taylor and Levine give a succinct exposition of the relationship of school-based management (SBM) and the Effective Schools process for school reform. SBM is only a governance structure and SBM implemented without a change process like the Effective Schools Process will do little to improve schools or reform them.

---

* The capitalized phrase Effective Schools Research and Effective Schools Process, and Effective Schools are all service marks of the National Center for Effective Schools Research and Development (NCESRD), University of Wisconsin-Madison, and denote the comprehensive change process developed and espoused by NCESRD. (See Definition of the Effective School Process attached.)

BEST COPY AVAILABLE

6. School Based Instructional Leadership (SBIL)

This paper contains a description and outline of the training modules (SBIL) developed by the National Center for Effective Schools Research and Development. Over nine hundred people have been trained in the process. This paper demonstrates the extensive scope of this professional development program.

Chairman KILDEE. Dr. Cooper.

STATEMENT OF DR. ERIC COOPER, DIRECTOR, NATIONAL URBAN ALLIANCE FOR EFFECTIVE SCHOOLS, TEACHERS COLLEGE, COLUMBIA UNIVERSITY, NEW YORK, NEW YORK

Mr. COOPER. Mr. Chairman, Congressman Goodling, Congressman Owens and other members of the committee, I am speaking today on behalf of the National Urban Alliance for Effective Education, a coalition of 30 school systems, universities, telecommunication agencies, publishers, community-based organizations; and we are housed at Teachers College, Columbia University.

I want to start by saying I am honored to be sitting at the table with my colleagues, especially honored to be sitting with Congressman Hawkins and somewhat humbled as I look over your shoulder at this beautiful picture of this young man, auspiciously looking down on us, blessing us with his kindness and his wisdom.

So as I say these things, my remarks should be taken in the state that it is an honor to be here and an honor to be able to speak to some of the specific issues that concerns us within the alliance itself.

I speak today on behalf of numerous teachers, principals, administrators and parents who work on behalf of the children which we all serve. It is a perspective that I speak from that has developed over 10 years of working with professionals in the schools, professionals who for the most part are caring and committed to improvements in education. And it is this exposure that provides me with the framework that I will share with you today.

I want to just note that as has been indicated here by Barbara and by others, the Hawkins-Stafford School Improvement Amendments of 1988 were geared to, quote, "improve the educational opportunities of educationally deprived children by helping such children succeed in a regular program, attain grade level proficiency, and improve achievement in basic and more advanced skills," end quote. It is through the language and voice of the amendment that this institution has touched the lives of many of our children and many of the adults serving students throughout the country. Yet, sadly, for the most part, the Federal support provided to many school systems has not completely met the goals they all strive for.

This is not to say that the legislation is inappropriate. In fact, when interpreted properly by school systems, the legislation has provided needed leadership, even though, as Congressman Hawkins has indicated to us, it is not fully funded.

Hawkins-Stafford created dramatic opportunities for the Chapter 1 program to meet the needs of children. A unique characteristic of the amendment is a significant expansion of Federal support for education itself. For the first time, Chapter 1 allowed school districts flexibility to spend 5 percent of their funds for innovative projects, and that is no short deal.

Additionally, the amendment removed the matching requirement to use funds to improve the program in the entire school if at least 75 percent of the school's students are poor. More importantly, this meant a shift from fiscal accountability to educational accountability.

I think, when we think about the issues of testing and where that drives us, and some of the other educational drivers that exist in this country, we need to focus more on educational accountability, less on fiscal accountability, and the impact it has on students.

Now, how has Hawkins-Stafford Chapter 1 helped and worked in school systems? I want to talk briefly about two. One is Prince Georges County in Maryland, and the other is Detroit public schools in Michigan. In school systems such as Prince Georges County's Chapter 1 program, teachers, principals and central administrators are working together to restructure education to be more consistent with the goals of Hawkins-Stafford. Teams of teachers and principals have worked to transform their schools so that each child has the opportunity to learn advanced skills such as problem-solving, critical and creative thinking, reflective thinking, comprehensive and advanced math and writing skills. In this skills system, the support provided by Hawkins-Stafford has worked.

Now I want to personalize this somewhat. Prince Georges County, as many counties, are now facing a cutback. If we go back to the point that Congressman Hawkins made and we personalize it and we realize what those cutbacks—the effect that those cutbacks have on the lives of the people who serve the children and the children themselves, we can begin to realize the necessity for full funding.

When I think about Prince Georges County and a $1.5 million cutback, I think of teachers who come to me with tears of joy when they successfully have interpreted new ways of approaching classroom instruction, and when their students have done well. And at the same time when I hear from administrators, these teachers who are approaching me in tears of joy, and I hear from administrators that they will be cut next year because of lack of funding, I ask myself, and I ask you all, to consider the impact that cutbacks have on the personal lives of people that we serve.

I hope I am not being somewhat pedantic. I just stress the point that when you provide the leadership that you always do from the Congress, when you provide the legislation that supports good teachers, good administrators, and parents who are concerned about their children's welfare, you are helping and providing the leadership that is necessary; and if full funding does not occur, people will continue to cry and children will continue to lose.

In other systems such as Detroit, one of the more exciting experiences I personally have had with a group of professionals, I see a spark that exists in Detroit public schools, in particular, in four middle schools with which I work. I see an entire African-American population of students and teachers working together, considering the possibilities of change when they focus in on instructional reform. I see the excitement, and I feel like I am part of a movement, a movement that can provide the kinds of learning for all children that all children should have. Not just because they are poor, but because they are human beings, because they have the innate capability of learning beyond many of the criteria that we maintain for them.

In Detroit, I have observed teachers who are excited about learning, principals who are excited about learning, and people who had been given the time by the administration to plan, share, and work together to collaborate to meet the needs of the students that they serve.

I agree with President Shanker when he says, we must provide more of an opportunity to allow teachers to become treated more as professionals, less as traffic cops, shuffling children in one program to another in the days of a school. In all too many school systems across the country, not thinking about Detroit and Prince Georges County as a primary example of what can be done, Chapter 1 instruction is still modeled on lower-order skills such as those associated with drill and practice, memorization and the learning of small bits of instructional fragments. I cry when I walk into a school with cameras, producing a documentary for the Public Broadcasting Service; and I observe teachers working with students, and I find out what they are doing in these so-called collaborative teaming processes, what they are doing is preparing for them to pass a minimum competency test, sitting in collaborative circles, filling in little dots, teaching them how to memorize isolated, fragmented skills, under the auspices of an objective on the chalkboard which satisfies the objective for today, we will teach children how to think.

Well, I have never seen children taught how to think by preparing them for isolated skills at the middle-school level on such skills and objectives as diphthongs, blends and schwas and so on, which did not work in the elementary grades, will not work in the middle-school grades, and will not work in the secondary level. Yet, because of the test, because of the way administrators and teachers analyze Hawkins-Stafford and misinterpret the legislation, an approach that is focused on lower-order skills is maintained for the students.

I dare say that Chapter 1 programs in this country have tended to stress the basic in the Hawkins-Stafford, not the advanced.

And I want to additionally say to you that in interpreting the law in a manner which forces the teacher to become a traffic cop, rather than a facilitator of instruction, forces us even into another dead end. If the data is correct that 85 percent of the schoolday is spent off academic tasks, what are we doing by creating programs that force students out of the classroom, out of the mainstream, towards separate, isolated instructional experiences?

I would ask that we give some serious consideration to interpretation, or reinforcing in some way an interpretation of the law which allows the teachers to be freed up from the dictates and the educational drivers that typically drive them in the wrong direction. Sadly, the data emerging from research supports this misinterpretation of the intent of the law.

Rather than cite a litany of the data, suffice it to say here that of the 28 million girls and boys ages 10 to 17 in this country, about 7 million are at risk of unproductive lives and 7 million are moderately at risk. This means that one-half of our students in this age bracket are at risk. It represents a continual breakdown in the processes for change we choose.

Who is at fault? It is a complex question. We, as adults, must look to the institutions we create. Students, especially the minority group students, dropping out of the educational pipeline is a symptom of institutional rather than individual pathology. It is not the fault of the child that the child fails. However, as adults, we tend to point to the children, we tend to point to the family, we tend to point to the fact that they might speak differently, look differently, or sound differently. We point to the fact that it is the children's fault and we, as educators, cannot do anything to accomplish this. Well, if Reuben Foyerstein can teach advanced skills to the Down's syndrome child, why can we not with proper funding, proper staff development, teach the poor child how to do advanced skills so that they can become much more involved in society and in the demands of the future?

The intent of Chapter 1 is to serve the poor. To some extent, the program has worked, yet the future demands of changing demographics will further burden the system unless we consider full funding of specific proposals for H.R. 6. Data reflective of changing demographics are such that one in five children under the age of 18 lives in poverty, including 44 percent of African-Americans and 40 percent of Hispanic children.

The minority makeup of 5- to 19-year-olds will increase from 20 percent to 35 percent by the year 2000. Thirty percent of all public school students today are members of a minority group, and this proportion will grow to 40 percent by the year 2010. This is all to say that the demands of serving an increasingly minority and poor population of American students will strain the system unless we expand the intent of Chapter 1 legislation.

Earlier, I suggested that the fault of our educational system resides with the adults who serve the young. Clearly, we recognize that when the will exists for educating every student, every student succeeds. We know that intellectual ability is not fixed. It is malleable. All students can be taught to perform advanced skills. The challenge to us then is not how to teach the students, but how we might teach the adults who work with them.

Let me cite what I believe to be a central factor related to the ultimate impact H.R. 6 can have on our schools, especially for the schools which serve the poor. To succeed in school reform, we have to succeed with adults. Successful interpretation of the law will require a well-trained teaching force capable of teaching advanced skills. Thus, the recommendations to set aside at least 20 percent of Chapter 1 funds for staff development as set forth by a commission on Chapter 1 needs to be adopted.

These funds, if used appropriately, would be used to, one, teach Building for Better Decisionmaking with the professionals who are serving the students; two, curriculum development which allows a focus on integrating instruction assessment and instructions that focus on critical thinking; three, districtwide workshops to break down school and teacher isolation; four, site-based and service-personalized school needs; and five, the use of many grants to extend systemwide efforts to all individual school staff.

Now, there will be some barriers that need to be addressed. Those barriers include teacher mobility; time for planning to teach, to collaborate, to reflect; testing mandates; some published material which do not reflect cognitive research; and institutional prejudice. And therein, in my opinion, lies one of the biggest challenges that we all face. It is the institutional prejudice that assumes that a child cannot learn because of his or her background.

I ask you and implore you to think about all the successful changes that occurred in many poor communities where, because of committed adults, students have learned and have learned well. Each of these barriers can be overcome with frameworks which allow these kinds of multi-institutional involvement to emerge. Each can be eradicated if we allow the support for long-term staff development activities to occur.

If we are to train students to become internationally competitive, we had better train who they work with.

Thank you for your time. Thank you for the leadership that you are providing. And again, thank you for the time to share these ideas with the committee.

Chairman KILDEE. Thank you, Dr. Cooper.

[The prepared statement of Dr. Cooper follows:]

Prepared statement of Eric J. Cooper, Executive Director, National Urban Alliance for Effective Education at Teachers College, Columbia University (a coalition of 30 school systems, state departments of education, and public and private community organizations concerned with improving instruction).

The Need for H.R. 6

Mr. Chairman and members of the Subcommittee on Elementary, Secondary and Vocational Education, I thank you for this opportunity to testify on H.R. 6, the bill to reauthorize the Elementary and Secondary Education Act (ESEA). It is an honor to present along with Congressman Hawkins, whose efforts helped to shape legislation that is having an important impact on our schools.

My testimony today reflects the work of the National Urban Alliance at Teachers College, Columbia University. In particular is the work we have been doing with school systems across the country for improving the cognitive performance of students through staff development. My experiences with school systems such as Prince George's County, San Francisco, Detroit, Chicago, New York, the U.S. Virgin Islands, Fairfax County, Va., Kansas City, Mo., Milwaukee, Wisconsin, Orange County, Fl., and Tucson suggest an urgent need for sustained collaboration among the federal government, state and local educational agencies, universities and colleges, business and community-based organizations, civic and cultural institutions, telecommunications and publishing institutions, unions and parents. These collaborations must be focused on helping students learn to perform the tasks required in an increasingly complex society. At this point in our country we are not addressing this goal--in fact, our educational institutions, because of poorly conceived programs, continue to fail students at an alarming rate.

In these and other systems, traditional interpretations of legislative mandates and the management of instruction in the nation's schools continues to force Chapter 1 and regular education teachers to teach to poorly devised standardized assessment measures rather than to develop a pathway which can lead to student thoughtfulness and mindfulness. If we are to sustain change in urban, rural and suburban systems, we need to move beyond instruction that limits students' academic experiences to the use of poorly developed material, that engages them in seat work that may be improperly designed for their academic needs, or that forces them to attend to a series of activities geared to elicit the simple regurgitation of facts and figures. To reverse this trend requires thoughtful legislation, thoughtful implementation and collaboration which establishes learning communities across the country. These frameworks for learning communities have been addressed by Peter Senge at MIT, W. Edwards Deming at Columbia and Nolan Estes at the University of Texas at Austin. Each requires a new definition of support for the child which reaches across all segments of the community, and each must be fashioned on a passionate belief that all children are capable of performing the higher-order, intellectual tasks demanded by a dynamic global society.

Proposals for Change

The foundation for developing learning communities needs to be built off of an understanding of how students learn. This foundation is provided by cognitive research. The cognitive view of human development is a perspective that has been building internationally for nearly a century. Sadly, too few school systems are implementing the implications of the research on a wide-scale basis. At the heart of the research lies the assertion that intellectual ability is not fixed, as behaviorists often assert, rather that each person's intelligence is malleable and can consciously be improved. Another aspect of this perspective maintains that human intelligence is complex, develops over time, and is expressed in multiple forms. And further, prior knowledge, creativity, and social exchange are important to the development of a learner's rational understanding. Finally, the perspective holds promise for all learners--

BEST COPY AVAILABLE

children with learning difficulties, those influenced by handicapping conditions, youngsters from the poorest of socioeconomic circumstances--to actively and independently learn to construct knowledge by creating and coordinating relationships in their own experiences. For all these youngsters, it is each child's potential for changing incorrect or inadequate interpretations--through appropriate instructional experiences--that ultimately influence the cognitive phenomenon of learning.

If H.R. 6 is to further the goal of helping every child become skilled in the higher-order tasks demanded in the workplace, we need to recognize that despite all the legislation, school reform, restructuring and educational change which has been proposed since *A Nation at Risk* (1983), very little has translated into systemic change for students. In fact, the urban communities described by Jonathon Kozol's *Savage Inequalities* (1991) continue to expand into what he has described as "death zones" for urban students.

What is needed in the legislation is the recognition that responsibility for learning must be multi-institutional--requiring innovative and unique partnerships which support the type of learning described above. It will require enormous support for the training of educators, parents and community representatives who work with students. Whether in Chapter 1 or in regular education programs, there is a need for providing instructional guidance for the adults who serve the young.

The Need for Staff Development

Staff development must become the centerpiece for change. We can not assume that without approaching the predictable obstacles and considerations which confound the change process, that wide-scale, or systemic change will occur. These obstacles represent just a few of those considerations the reauthorization process should consider. A few are listed for your review:

- School realities that stress classroom order and passive learning
- Students preference for lower-order skills
- Student/teacher compromises that trade obedience for undemanding instruction
- Low-level learning scripts for low achievers
- Teacher preferences for easy-to-teach lessons
- Lack of planning time in the schools for the professionals to build a capacity for leadership and teaming
- Overcrowded classrooms denying the teachers the time to adequately prepare and serve the students
- Change overloads which forces the teacher to become a traffic cop rather than a facilitator of learning--these are often caused by legislative mandates which mean well but due to poor management cause additional problems
- Lack of large-scale staff development
- Compatibility with the demands of hundreds of innovative projects leading to fragmented implementation
- Ill conceived parent involvement proposals which do not view the parent as a partner in the learning process but rather as a competitor with the goals of education
- State and local testing mandates which are in direct opposition to the teaching of advanced skills to students

- Institutional prejudice which assumes that a child has limited capacity for learning based on the child's skin color or cultural background.

A Focus on Teaching and Learning

These and other considerations affect how educational change will proceed in this country. What we are arguing for are legislated proposals for a new vision of instruction which consolidates guarantees of student competency with support to extend learning to the limits of every child's potential. To move toward this vision requires a recognition that no one approach to reform will be a panacea for the nation's schools. Yet there are specific organizational and instructional arrangements that have proven successful in educating all students. Eubanks and Levine (1987) have reported that:

> "such arrangements emphasize provision of educational assistance to improve performance through tutoring before school, during lunch, or after school, utilization of trained teachers' aides in cognitive theories, reductions on nonessential time in coursework which does not link with cognitive and interdisciplinary instruction, and formation of smaller in-class groups for low achievers than for other students . . ." (p. 22).

Hiebert, Colt, Catto and Gury (1992) suggest that Chapter 1 programs should provide more intensive instruction for students in the first year of schooling, and they also suggest "reorganization of the curriculum and instruction of preschool through grade five, provide family support programs and a school site facilitator to work with teachers on implementation of change" (p. 546).

Other researchers such as Bloom (1988) and Comer (1987) describe the importance of linking the home and school in a partnership based on instruction (e.g., graded homework which has been shown to improve student achievement; programs which allow students to spend two years with the same teacher, offsetting the discontinuity in the lives of many low-income children; social programs which are carried out by parents and teachers working collaboratively; and the use of programs that develop automaticity in reading, writing and mathematics through home and school cooperation).

These and other approaches which are well reported in the literature must be applied in a cohesive and coordinated manner if we ever can hope to achieve systemic reforms in schools. Central to this, as reported previously, is coordinated and thoughtful staff development which allows each adult to reach his potential as a professional working with students. When that door closes in the classroom, despite all the funding made available, if the teacher is not given the time to develop as a professional, he or she will not be able to meet the instructional needs of those they serve.

Our work in the Chapter 1 program of Prince George's County, or in Detroit, Chicago, San Francisco, Milwaukee or New York, suggests that attitudes regarding the capacity of teaching students can be changed--changed so that each child can reach beyond a potential. In each of these systems, there is a growing recognition that central to the change process is a well-educated and trained teaching force. Consequently, each system has committed major resources to allowing teams of teachers from each participating school to engage in long-term and coordinated staff development activities. This translates into a commitment to use funds for planning and team building at the school level; and concurrently, at the district level, opportunities for teachers working with consultants to model, demonstrate and shape new approaches for teaching and learning.

We recognize that every student can be taught to learn. Many of us have learned to confront the factors that have led to not identifying the potential of a child. The challenge we all face in considering this important legislation is how this recognition can be translated into success for all.

BEST COPY AVAILABLE

H.R. 6 can go a long way in helping us meet the goal of improved instruction for all students. By incorporating the spirit and language of Hawkins/Stafford with new and stronger proposals for staff development, by integrating testing and instruction focused on meaningful cognitive achievement, by creating standards which provide a framework for cognitive teaching and by providing provisions for the development of learning communities, this Committee can go a long way in serving those who wish to incorporate the processes of learning into the management of schools.

Mr. Chairman and members of the Committee, I again thank you for this opportunity to express our views regarding H.R. 6.

May 13, 1993

Chairman KILDEE. Dr. Michelli.

STATEMENT OF DR. NICHOLAS M. MICHELLI, DEAN, SCHOOL OF PROFESSIONAL STUDIES, MONTCLAIR STATE COLLEGE, UPPER MONTCLAIR, NEW JERSEY

Mr. MICHELLI. Thank you, Mr. Chairman, members of the committee. I too am honored to have an opportunity to share some thoughts with you about Chapter 1 in particular.

I am Dean of Montclair State College's School of Professional Studies. We are part of John Goodlad's national network and part of the Center for Educational Renewal at the University of Washington, joining with 12 other universities and colleges and schools across this Nation in trying to bring about change.

In addition, I am a member of the Governmental Relations Committee of the American Association of Colleges for Teacher Education, and much of what I say today reflects the view of that association as well.

Perhaps most importantly, I speak with 30 years of experience from the trenches. Montclair State is a few miles from Newark, between Paterson and Passaic, and I spent most of my time in the schools in Newark working with these children and working with those teachers, trying to bring about change.

To provide some context, I think there are three characteristics of the work that we have done that I would like to just mention briefly, then make some very specific recommendations with Chapter 1 that in some ways, I think, very much reinforce what my colleagues have said today.

First of all, our program is and has been built on a commitment to teaching for critical thinking. We have perhaps more experience than any other college in the Nation from the standpoint of designing programs and delivering them and measuring the effects of higher-order thinking on children. We know that it works, we know that it can make a difference, and we think that the seeds for focus on critical thinking are within the current Chapter 1 regulations. But, again, they need to be emphasized and refocused.

Secondly, our work is based entirely on collaboration with public schools. And I think the relationship between the colleges and the schools is something that we must reinforce, and I think Chapter 1 represents an opportunity for the Congress to bring together the resources in this Nation that focus on children and make it, in fact, a seamless web from kindergarten right through the higher levels of university.

This commitment to collaboration is consistent with our work with John Goodlad, and in particular, focuses on the idea that change must be taken simultaneously—that is, change in the schools and change in the colleges as well.

Third, our commitment is a commitment to urban education and to the children in poverty; and I think that that very much reflects what we have tried to accomplish in all of our work.

Let me turn specifically to Chapter 1. We think that it is, in fact, the cornerstone of efforts to make it possible for children in poverty to succeed in school and to have an opportunity to succeed in life. And I too congratulate Chairman Hawkins for his pioneering work in making that as effective a piece of legislation as it has been. I just can't believe that people question the effects of Chapter 1, and I am reminded of something in the New Jersey court decision when they were looking at equal opportunity. At the very least, I would urge you to remember this: The courts in New Jersey said, even if money doesn't guarantee success, the poor have an equal right to be disappointed. And I would urge that you remember that we have an obligation to put the money to make a difference with the children of poverty.

Let me turn to three or four specific recommendations in Chapter 1, reinforcing what my colleagues have said. First, Chapter 1 should focus on school reform rather than individual. Certainly, as Chairman Hawkins has said, that is possible within the legislation but not in practice. In practice, we establish islands of support within schools through pull-out programs.

And I believe that the only lasting change, as Dr. Taylor has said and as others have said, must be systemic change, that is, change that affects the entire school; it affects the objectives, the instructional techniques, the evaluation device. It is not enough to have enrichment through pull-out programs. Instead, it is critical that we make changes in the entire program of the school, which must be of a single fabric; and that emphasizes the belief that all children can achieve higher-order thinking. Unless we believe that, it can never happen.

By this commitment, children should get the services they need through programs of inclusion, services that are delivered in regular classrooms with support, rather than being treated as individuals who must be, in fact, excluded. Pull-out programs of the kind associated with Chapter 1 encourage the kind of tracking of children that often leads to separate and unequal opportunities to learn. And across this country, schools are confronting the issue of best practice, rather than easier practice, and eliminating tracking.

Now, it is true that Chapter 1 doesn't require pull-out programs and it doesn't require tracking; but I must tell you that, in practice, that is what has happened, and I urge you to look carefully at the implementation. This principle is consistent with our commitment to develop teachers who will themselves help enculturate children into a social and political democracy, and who believe that all children are capable of learning.

Secondly, Chapter 1 should make a commitment to teacher administration renewal through professional development. I certainly support the AFT's position of enhancing the proportion of funds that is committed to professional development.

All schools, of course, engage in some sort of professional development. In my testimony, in my written testimony, I have identified some of the criteria that I think we should attend to, being certain that what we do is coherent, that it takes place over time, it is not a one-shot quick fix that is linked to research in practice that is based upon input from the professionals that we are, in fact, trying to develop, and that is accountable, that can show results.

Through support for continuing professional development, we can have a lasting impact on schools for the benefit of children who depend on Chapter 1 for their futures. And it is absolutely critical that we involve school leaders, that we involve the principals and the administrators who are part of the process.

Third, Chapter 1 should support and encourage the collaboration of colleges and universities with Chapter 1 schools; and specifically, I urge you to look at the model of professional development schools as a mechanism for accomplishing that. It is a model that works. In recent years, schools with different names but with similar goals have emerged—some call them professional practice schools, some professional development schools, some clinical schools. I would like to suggest that there are many examples of successful professional development schools, schools that are dedicated to improving the quality of teaching, that link themselves with colleges and universities and that serve large numbers of Chapter 1 children.

I would suggest—and I know that President Shanker is aware of this—that one need not go to Taiwan or Japan to see opportunities for teachers to collaborate and work together. In fact, I would urge you to come to Newark. At the Harold A. Wilson Middle School for Professional Development and in Mr. Payne's district, you will find an example of a school where colleges and teachers are working together to improve the education of children in poverty and, in fact, to bring together teachers from every other school in Newark to engage in professional development. Through that kind of a model, where colleges work with schools, we can be informed by research on the education of disadvantaged children, and I believe make a real difference.

Fourth, I would like to strongly urge that Chapter 1 start with the youngest children in schools where there is not enough money to provide services for all children, although I certainly hope that full funding will be possible. I think it is the youngest children who must get our attention first.

And finally, I want to urge that we focus Chapter 1 on a student. We have to enhance the pool of those educators who are working with young children. Our success in recruiting qualified people of color into teaching has not been very good. It has been dismal, in fact. Despite AACTE's effort and despite efforts nationally, I think we are falling behind. As the demography of our children changes, the demography of our teaching force isn't changing fast enough.

A colleague yesterday at AACTE's Governmental Relations Committee told me that, with early retirement, there will be a thousand new teachers in the Philadelphia public schools. I think Chapter 1 has an opportunity, and I endorse the proposal to help paraprofessionals who have demonstrated a commitment to teaching, many of whom are within targeted groups, become certified teachers. I urge you to look at the regulations and to consider an amendment that would encourage institutions of higher education to offer programs for those working in schools, who are not yet certified teachers, to help them to, in fact, become teachers.

You have a critical task before you. Children of poverty have gained much from the Chapter 1 funding. The opportunity before us now is to use what we know to further enhance the benefits of Federal support for education.

We know more than we ever have before. It is a wonderful opportunity, and I urge you to take advantage of it.

Thank you, Mr. Chairman.

Chairman KILDEE. Thank you very much, Dr. Michelli.

[The prepared statement of Mr. Michelli follows:]

Nicholas M. Michelli

I am Dean of Montclair State College's School of Professional Studies and a member of the Governmental Relations Committee of the American Association of Colleges for Teacher Education. Montclair State is one of the eight original sites working with Dr. John Goodlad in the Teacher Education in a Democracy Project, a national project designed to simultaneously renew the schools and the education of educators. I would like to provide context for my testimony by summarizing the principles of our work in that regard. In 1991, Montclair State was selected from among some 300 applicants as one of the eight original sites to participate in John Goodlad's national project, **The Agenda for Teacher Education in a Democracy**, housed within the Center for Educational Renewal at the University of Washington. (Other colleges and universities among the original eight were the University of Washington, The University of Wyoming, Wheelock College, Texas A & M University, the University of South Carolina and a consortium of other South Carolina institutions, the California Polytechnic University at San Luis Obispo, and Miami University of Ohio. The group was later expanded to include the University of Hawaii, The University of Southern Maine, Metropolitan State University in Denver, and the University of Connecticut.) Before applying for participation in the project, the faculty of Montclair State, along with its collaborating public school districts, made a commitment to the nineteen postulates described in Goodlad's book, *Teachers for Our Nation's Schools* (San Francisco: Jossey-Bass, Inc., 1990).

Central to our work in the project are the following beliefs, which are based upon the postulates:

1. The renewal of schools and the renewal of teacher education must occur simultaneously.

2. Colleges and the schools are partners in both the renewal of the schools and of teacher education, and share equal responsibility for both.

3. Renewing schools and teachers involves a vision of a social and political democracy and a commitment to working toward that ideal.

4. Teaching has important moral dimensions to which we must be sensitive along with the content and pedagogical knowledge that we need to be competent professionals.

5. Professionals know how to make good judgements using critical thinking.

6. Stewardship of best practice is a responsibility of professionals.

My testimony represents conclusions from nearly 30 years of work in urban schools. Several characteristics of our work will provide further context. First, a theme of **teaching for critical thinking** permeates our teacher education program. For more than a decade, faculty at Montclair State have pioneered work in the area of critical thinking as a means of organizing curriculum and planning and delivering instruction. We know that this focus on what some have called "high content" can make a difference in the sustained learning of all children, not just those who are advantaged. In fact, most of our work in the development of higher order thinking has been in urban settings. Examples of early work, which continues to this day are the Philosophy for Children program, now used nationally and internationally in schools, and **Project THISTLE: Thinking Skills in Teaching and Learning**, a professional development program that uses a carefully designed sequence of graduate courses and classroom support to equip **Newark's teachers** to infuse critical thinking into the curricula in order to enhance the academic performance of their students. Project THISTLE was established in 1980 with Department of Higher Education funding, and continues today with support from Montclair State and the Victoria Foundation. One of Montclair State's Governor's Challenge Grants established the Institute for Critical Thinking. The Institute has provided extensive professional development for college faculty to begin or extend their teaching for critical thinking. In addition, the Institute supports the work of the teacher education program to extend the theme of critical thinking throughout the program. Thus the program was and is characterized by a coherent perspective on what the primary role of a teacher is: equipping students to think critically to enable them to make good judgements throughout their lives. This theme is very consistent with the commitment to preparing students to be thoughtful citizens in a political and social democracy, one of the core ideas of the Goodlad project.

Second, we are committed to **genuine collaboration with the public schools** through the **Clinical Schools Network**. This network, funded originally through the Institute for Critical Thinking, provides a vehicle by which Montclair faculty and faculty from the participating schools work to enhance teaching for critical thinking in those schools. Teachers participating in the network become clinical adjunct faculty of the college, and are the primary teachers to work with Montclair State students in teacher education. Thus, students from the college work with teachers who understand and support the theme of critical thinking during their internships. This commitment to collaboration is consistent with the belief in the importance of the simultaneous renewal of teacher education and the schools within the Goodlad project. The network is the vehicle for the renewal of schools, and students are placed through the network with teachers committed to renewal and stewardship of best practice. But clearly more resources are needed, and the sort of collaboration that suburban districts easily enter into are often out of the reach of urban and rural districts with high concentrations of Chapter I students.

Third, our program has been characterized by a **commitment to urban education**. Project THISTLE, our first and continuing work in urban education, has already been discussed. In addition, the college has worked with **Newark's Barringer cluster**, the city's largest Latino school grouping. In that project, faculty have worked with principals and teachers in schools that feed Barringer High School to enhance the performance of students in those schools and have them consider college as a possible choice. Working with the Newark Board of Education and the Newark Teachers Union, the college began the **Newark Scholars in Teaching** program, designed to establish Future Teachers of Newark Clubs in high schools as honors clubs, and encourage minority students to enter teaching as a career. The college waives tuition for four graduates of Newark high schools each year who are in the club program. Through support from Metropolitan Life, full tuition and room and board waivers were made available to some students, but additional support from foundations has not been forthcoming. As the population of our schools changes ethnically and racially, it is important that we seek commensurate changes in our teaching force. We think Chapter I funding can help do that. Next, one of our most exciting ventures has been the college's affiliation with Newark's **Harold A. Wilson Middle School for Professional Development**, New Jersey's first Professional Development School (PDS). The college has joined with the Newark Board of Education and the Newark Teachers Union as a partner in the development and operation of the school. I urge the adoption of Professional Development Schools as a model that can be used to undertake systemic reform through Chapter I. Finally, in the spirit of its commitment to working toward a social and political democracy, the college will begin requiring that all students in teacher education have an **early experience in an urban, culturally diverse setting**. The goal is to open the possibility of urban teaching to all students, and represents a commitment to have all future teachers consider work in urban areas.

Our work for more than a decade, and recently as part of a national network of colleges and universities, is committed to the renewal of schools and the lives of children.

In addition, my position on Chapter I is largely consistent with that of the American Association of Colleges for Teacher Education.

Chapter I of the Elementary and Secondary Act of 1965 has been a cornerstone of efforts to make it possible for children of poverty to succeed in school and to have the opportunity to succeed in life. In particular, I wish to argue for several principles and some specific proposals.

The reauthorization of Chapter I should be based on the following principles:

Chapter I should focus on school reform rather than on individuals. This critical principle is based on the belief that one cannot help children by establishing islands of support within schools through pull-out programs. The only lasting change in schools will be systemic change--change that affects all aspects of the culture of the school and ensures the continuation of positive renewal over time. Systemic change affects the objectives, instructional techniques, materials, evaluation devices and instruction for all children. It is not enough to have enrichment through pull out programs, rather the ongoing program of the school must be of a single fabric, and with an emphasis on the belief that all children can achieve higher order thinking. Wherever possible, schools with significant numbers of Chapter I children should be treated as coherent entities and be the focus of overall renewal.

By this commitment, children should get the services they need through programs of inclusion in which services are delivered in the regular classroom of the child and not through exclusionary programs that do much to damage self esteem and the likelihood of success. Pull-out programs of the kind associated with Chapter I encourage the kind of tracking of children that often leads to separate and unequal opportunities to learn. Across the country, schools are confronting the issue of best practice rather than easier` practice and eliminating tracking. As a democratic principle, as well as a principle of good pedagogy, children should be included in all activities rather than excluded.

This principle is consistent with our commitment to develop teachers who will themselves help enculturate children into a social and political democracy and who believe that all children are capable of learning.

Chapter I should commit to teacher and administrator renewal through professional development. In the long run, Chapter I will have its most significant impact if the classroom teachers and administrators of Chapter I buildings are renewed through effective professional development designed to develop the skills, attitudes, and commitment needed for effective education. Professional development for teachers and those serving as principals of such schools should be an integral part of Chapter I renewal, so the skills educators develop will grow and serve more children as time passes. In this way, Chapter I can have an enduring effect. But not just any professional development will do. Most schools engage in some sort of inservice work. Chapter I funding must be structured to ensure that the best kind of professional development is provided.

Professional development, to be meaningful, must have several characteristics.

o Professional development must be coherent. It must be based on a particular set of beliefs, including a clear sense of what an excellent teacher looks like.

o Professional development must take place over time. It cannot occur in one afternoon. It must allow time for reflection, thoughtfulness, and growth.

o Professional development must link research and practice. We have made great progress in understanding what works in education and what doesn't, and professional development must take into account the relationship between theory and practice.

- Professional development must be based on input from the professionals. It must be planned collaboratively, involving close working relationships between colleges and schools. It cannot be imposed, but must reflect the real needs of practicing teachers.

- Finally, professional development must be accountable. In the long run, the vision of education that formed the basis for professional development must be translated into expectations for students who work with teachers who are the beneficiaries of professional development.

Through support for continued and effective professional development we can have a lasting impact on schools for the benefit of the children who depend upon Chapter I for their futures.

Also, involving the school leaders--the principals and other administrators-- is critical for the success of Chapter I and any other effective change strategy. I encourage opportunities for the professional development of school administrators and teachers to accomplish systemic reform.

Chapter I should support and encourage the collaboration of colleges and universities with Chapter I schools and specifically support Professional Development Schools. A model exists for delivering the best services for children and for the professional development of teachers through collaboration with colleges and universities. In recent years some schools with similar missions have emerged with different names, others with different missions have the same names. Some are called Professional Practice Schools, some are known as Professional Development Schools, some are Partner Schools, and others are Clinical Schools. We have a particular concept in mind for what we call a Professional Development School. A Professional Development School:

- is an exemplary school, a school with exemplary programs, or one committed to moving toward exemplary status.
- is a school that promotes inquiry among its faculty.
- is a school that attends to both the preservice and inservice development of teachers.
- is a school that has developed a collaborative relationship with a college or university.

There are many examples of successful Professional Development Schools within urban communities with large Chapter I populations, and one of the best examples is the **Harold A. Wilson Middle School for Professional Development in Newark, New Jersey**. This school, a joint project of Montclair State, the Newark Teachers Union, and the Newark Board of Education, meets the criteria for effective Professional Development Schools. It is a model that shows how teachers can work together for the education of children of poverty along with colleagues from the colleges and universities and the unions and make a real difference. Chapter I should encourage the development of Professional Development Schools as a mechanism for delivering services.

The effects of Chapter I would be enhanced if efforts were better informed by research on the education of disadvantaged children. I recommend a required linkage between Chapter I schools and colleges and universities wherever feasible. Such linkages will not only improve the quality of instruction of Chapter I schools but have the potential of improving the quality of future educators seeking to work in such schools.

Opportunities for Professional Development Schools or Partner Schools should be made available for urban and rural youngsters. We encourage the Amendment of title I, part F, Subpart 3, SEC. 1457 and Chapter 1, Part A, SEC 1542 of the Hawkins/Stafford Act to permit partnership Schools for Rural and Urban populations.

Chapter I should start with youngest children. If funding is insufficient to provide services for all needy children in settings where there are fewer children than would be needed for building level reforms, then work with individual children should begin with the youngest children first.

Education Personnel Recruitment and Improvement. Our success in recruiting qualified people of color into teaching has been dismal. I strongly endorse the proposal to help paraprofessionals who have demonstrated a commitment to teaching, many of whom are within targeted groups, become certified teachers. It makes good sense to start with individuals who have already demonstrated a commitment. Title I Part F, Subpart 1 SEC 1436 of the Hawkins/Stafford Act should be amended to encourage institutions of higher education to offer programs for paraprofessionals and financial aid so they can become licensed teachers.

You have a critical task before you. Children of poverty have gained much from Chapter I funding. The opportunity is before us now to use what we know to further enhance the benefits of federal support for education. I urge you to take advantage of it.

Chairman KILDEE. I will start with a few questions. I know Mr. Shanker has another appointment so I am going to direct a question to you first, and then maybe have some of the other members also do that.

Not a really profound question, but if we fully funded Chapter 1, which has been our goal and Bill Goodling's goal and our fight in Budget Committee to try to get enough money for function 500 which is where this is found, if we fully funded Chapter 1, how necessary might it be to change the formula or how much push would there be to change the formula?

Right now the Representatives from Massachusetts and Rhode Island are very concerned about changing the formula, and the Representatives from Texas and California are concerned about changing the formula. If we were fully funded, how necessary would it be to address the question of the formula itself?

Mr. SHANKER. I think it will still be worthwhile looking at, but I think it wouldn't be as explosive an issue.

You know, there was an interesting piece in the Post the other day raising questions, saying it has been a long time since we looked at the formula—not specifically with respect to this legislation, but I think it is worth a look. But it is explosive because it results in these massive shifts of money.

If you had full funding, you would be dealing with a much smaller number of youngsters who might be viewed as being in the pool or out of the pool, but it wouldn't be this massive shift that now occurs. When you have got relatively little money and you talk about formula, you are talking about where that money is going to go and huge amounts lost or gained in one place or another.

Chairman KILDEE. Aside from the new census figures, the demographics, are there intrinsic defects in the present formula? Or is it just the result of the present formula applied to the demographics of the census figures?

Mr. SHANKER. Well, there are questions of definitions of poverty that I think need looking at. I think also the way the caps work right now tends to work against high-spending States.

You have got a number of things like that, a few of which I mentioned in the written testimony, but I think that they deserve a review. After all, you have basically you a different cost of living in different parts of the country; and yet you have certain absolute standards as though there is in terms of national averages. And that creates winners and losers on a very artificial basis, not on a basis of what the real effort is in terms of expenditures, in terms of relationship to an overall cost of living within that State.

Chairman KILDEE. Maybe to answer my own question, if we did fully fund Chapter 1, then all Members from Massachusetts, Rhode Island, Michigan, Texas, California, might be able to more objectively sit down and look at the formula.

Mr. SHANKER. That is a better way of saying what I said a few minutes ago, in saying it would be a lot less explosive.

Chairman KILDEE. Thank you very much.

Mr. Goodling.

Mr. GOODLING. I just have a couple of quick observations, and I can do those very quickly with everybody, I suppose.

Chairman KILDEE. Go ahead.

Mr. GOODLING. Okay. First of all, the Chairman, I was glad to hear him repeat what I have been trying to say over and over again, that our direction in 1988 and even before was that Chapter 1 was to be over and above everything else everybody got; that it wasn't supposed to be a substitute for, it was to be over and above. And there are some places where this is true, but unfortunately there are an awful lot of places where it is a substitute.

He also indicated in special education, 40 percent for Public Law 94-142, if we put up that 40 percent—which the Chairman and I on the Budget Committee, we thought we had a commitment two years ago that over the next five-year period we would be up to our 40 percent—it would mean an awful lot to local districts. Because States are cutting back on their special education appropriation, and we are not giving our 40 percent, which means the district as a whole suffers, all the students suffer.

And I was pleased to hear him, the Chairman, repeat what was so important during that 1988 reauthorization, where accountability and quality were the key words, I think, that the Chairman was trying to put across.

As to President Shanker, my only disappointment with his testimony is that he had such a magnificent paragraph on Even Start that he never mentioned. So I would hope you would all read his testimony.

And staff development, I noticed that almost every one of you talked about staff development over and over again, because in the past I think our mistake was—and even now when we talk about changing and making changes and so on, we do so little to help the people who are on the firing line prepare and get ready for it.

Where we—in all our testimony I think we have heard as we have traveled about, most people have said that they get most of that from their Chapter 2 funds, that that is where they use this money. And, of course, we keep cutting it back. And I believe the President has even recommended Chapter 2 be cut more, and yet most everybody says that they have been doing most of their staff development work, or an awful lot, out of their Chapter 2.

And I can remember when staff development was horrible. I am glad to see that that is changing because I can remember some terrible, terrible staff development programs that really turned everybody off, and maybe everybody did not want to have another day of staff development. But I am glad to see that that is changing.

Dr. Taylor, on page 2, item 4, again you dwelled on professional development. And I was happy to see that, because you said the name of the game in the next five years will be professional development retooling, if you will, to build capacity for change.

And of course we are going to need an awful lot of help from the colleges. I was glad to hear Dr. Michelli say that they are doing an outstanding job of making the change with the elementary, secondary schools. Because we have also heard a lot of testimony where this doesn't take place in higher education professional development training programs.

So I was glad to hear that it is happening in yours.

I also wrote down, I think I got it right, even if money doesn't guarantee success, the poor should have an opportunity to be equally disappointed. I think if I got that right, I will have to use that sometime along the line.

As far as pull-out is concerned, and I am not a supporter of pull-out—and as Chairman Hawkins said, we didn't tell anybody to pull anybody out—there are some times where it works well, some times where it doesn't work well. However, one of the areas we heard about most recently in our testimony, which was new to me, was the whole reading recovery effort, where apparently it is being very, very successfully used, if the people are properly trained; and apparently that is very expensive in order to train them.

In Title V, the higher education bill last year, we tried our best to do something about the role model problem. I think it is one of the greatest problems we face in education. Unfortunately, Title V, I understand, didn't get funded, so we will have to go back and make an effort to make sure Title V gets the funding, because the whole role model idea in my estimation is very, very important, and we really have to tackle it.

I don't have any particular questions. Those were just some observations I got from your testimony.

Thank you, Mr. Chairman.

Chairman KILDEE. Thank you, Mr. Goodling.

Mr. Roemer.

Mr. ROEMER. Thank you, Mr. Chairman. I will just concentrate on President Shanker and save my other questions. I just want to thank everybody for your excellent, insightful testimony.

President Shanker, I am delighted to see you emphasize professional development, teacher training programs. Just last week I added to the reform bill a goal, the seventh education goal, of putting more emphasis on teacher development and training programs, I think if we are going to ask our teachers to teach new curricula, to do new work with technology, to take on new roles and work together in team-building concepts, that teacher education should definitely be a highlight of what we try to emphasize in terms of reform.

Along those lines, some of the tough questions that we are going to have to ask, too, are not only how we fund these programs, but how we provide the time for our teachers to participate in them.. Do you support things such as expanding the school year, expanding the school day, so that teachers do have this opportunity?

When I was in inner-city schools in Chicago, which Jonathon Kozol and Dr. Cooper referred to as death zones, in many instances, teachers sometimes came in at 9 a.m. and left at 2:30 p.m. before the kids left. How do we give them the time to work on these very important areas? And how do you feel about teacher evaluation as well?

Mr. SHANKER. Well, first, on the question of time, I think that you will need some expansion of the school day and the school year to provide that time. And we would support some expansion of that. I think at the beginning you would have to put it in on somewhat of a voluntary basis, because some people chose teaching because they wanted a certain lifestyle. They knew that they weren't going to make very much money, but they have other activities and hobbies, and now if you start moving it toward a fuller day and a fuller year, you need some sort of a transition. Otherwise, you are going to have a lot of internal dissension; that is where you lose a lot of people.

I also think it is possible to organize the way we do things in schools very differently to create that time. For instance, if one of the purposes of an education is to get students eventually to be less dependent on teachers and to do some independent study, there isn't any reason why there shouldn't be a certain amount of high school work devoted to independent study. And that could free up some time.

There is a school that has been working like that actually for 23 years in New York City called John Dewey High School. It ought to be looked at.

So I think that there should be a combination of some lengthening of the day and year and some reorganization.

I also think that working in teams which are differentiated can create time. So instead of getting people to a longer day or year—and I am not ruling those out; I think they have to be part. I don't think we will succeed in doing this without doing some of that. But suppose that we moved away from a single lecture method of instruction. Suppose that we did a lot more with cooperative learning and with student teams and suppose that, in addition to having licensed teachers, we also had nationally board certified teachers who would be, let's say, team leaders; and suppose we also had teacher interns; and suppose that, as part of a national service program, we also had youngsters who were not qualified to be in a room alone with students but who would be part of a team. I think you could create time by moving away from that self-contained classroom notion and moving toward teams.

So that I would use the suggestions that you made as part, but only part, of an overall medication.

But obviously you can't do this without either sending the kids home and giving them less schooling than they now get, which I would not support, or you have got to add time and reorganize.

Mr. ROEMER. I would definitely like to work with you. You mentioned the national service idea, which will be coming before this committee, as well as ways by which we might be able to help teachers get some more time plugging into the national service idea.

One final question: You mentioned in your testimony that you would suggest capping Chapter 1 funds on administrative costs at 5 percent, and that you might even suggest lowering that cap. Where would you suggest lowering that cap to?

Mr. SHANKER. I would like to lower it to zero.

Mr. ROEMER. To 2 percent?

Mr. SHANKER. I would like to say, this is money that ought to go to kids and State departments and schools; and school districts ought to fund the administration of it. They are getting money that is targeted; it ought to be used for kids. And I think it is a major problem that we have overall, because we don't have any control over what they do with their local or State funds. If they want to use a lot of it in the classroom, they can.

But here is one where I think we could send a message; say, this is for the kids.

Mr. ROEMER. So you would support some kind of phaseout of that, eventually lowering the 5 percent?

Mr. SHANKER. That is right.

Mr. ROEMER. Okay. Thank you.

Chairman KILDEE. Major Owens.

Mr. OWENS. Mr. Chairman, let me first say that I am delighted to see the Chairman here, and from the level of intensity in his voice with respect to his commitment and his anger, I notice he is in good health. Welcome, Mr. Chairman.

I think that if this administration were to set a pattern different from others and understand that it is always important to assemble when you have this kind of transition the best and the brightest, that they ought to get the best and the brightest. But if they also understand the need to balance those best and brightest off by the best and the wisest, that if that were the case, they would be beating a path to your door.

Wisdom is needed by this new administration. They need it in great abundance; and I think we all fail if we don't let them know that and give them the best possible advice, and that there are people available to give that advice.

This is a panel which is an example of, you know—no panel could surpass this in terms of the balance of power, great amount of power on one end, which is command experience, analytical skills and research that can document what works, and it is a magnificent panel. And I would hate to see us come out of this hearing without some suggestions which, and recommendations which are commensurate with the quality of the panel.

Let me start by asking you, Chairman Hawkins, you are concerned with the failure to implement what exists already, and so are we all. The question is, do you think the failure to implement the bill, the Act that was passed before, is due to some kind of determined—a determination to distort for the sake of distorting, a refusal to accept what works, a refusal to accept good recommendations; or is there a pressure out there on the people who are running the schools—superintendents, teachers, principals—is there a pressure that forces them into this kind of failure to do the obvious and to accept the legislation which is very good legislation?

Is there a pressure for day-to-day activities to be maintained, which has increased greatly as a result of budget cuts that have been getting deeper and deeper for the past few years? Is money still—funding still a basic answer?

Mr. Shanker started out by saying, you know, to some extent the issue of higher standards is not an issue of more money. The issue of the whole working of the school system, in my opinion, starts with the issue of money; and they are under extreme pressure now, so much so until I wonder if any reform is going to go forward and there is going to be any improvement, no matter what we do at the Federal level, unless we give them some relief in terms of solving some of the funding problems.

You know, if you are in the process of having to lay off teachers and increase class size and just forget about new equipment and new books, how can you really not do anything but laugh and be very cynical about the call for reform from the Federal Government? You know, don't we have an obligation, as we look at this legislation—and it is not just Chapter 1. This is the Elementary and Secondary Education Act; we should be concerned about the whole range of activities. Don't we have an obligation to deal with some kind of new title chapter that deals with emergency funding or something to come to the relief of the schools in their present predicament in order to create a climate and an atmosphere out there that will make it possible to positively consider reforms?

Mr. HAWKINS. The reauthorization is of—I think it is 14 different bills. We have talked about Chapter 1, but that is only one chapter involved in the reauthorization. We didn't have time really to discuss the critical skill program in Chapter 2—or Dr. Taylor discussed Effective Schools; that is in Chapter 2.

Mr. OWENS. I am talking about something that is not in the bill at all, and that is emergency funding for local education agencies, emergency funding for those agencies that have been cut, some kind of revenue-sharing or block grant or some way to come to the aid of hard-pressed school systems out there.

Mr. HAWKINS. Well, we had a lot more in the program, in the system, before the 1980s. But everything has been cut back. At one time Alphonso Bell on this committee and myself coauthored a bill to give to desegregating schools additional money to do so, encourage them. All of that was eliminated in the 1981 consolidation program; and it was done down at the White House, it wasn't done by Congress. So all of those programs have been really eliminated or reduced.

So we have, in effect, underfunded almost every program. I don't know of a single one that we really have increased according to inflation and the need.

But the entire thing now—I was listening to my good friend Mr. Shanker, when he said something about some things you can do without money; and I agree, there are some things you can do without money, but there are a lot of things that will require money now. If, for example—and he opposed the type of testing that we now indulge in and I agree with him, but if you change from that simple testing, which is very inexpensive, to ask kids to—not to do multiple choice testing but to write essays and so forth, that is going to impose on teachers and the staff additional duties. And you can take in a multiple choice test which is, I think, a very poor thing to use, but you can correct it in a matter of five or ten minutes or have someone else do it, because it is very objective. And that is why it is used. But if you change to the type of testing which he is advocating, and I agree it should be, then you would have to require the teachers to spend more time in correcting papers and in improving their capability; you would have to involve them in it, and you would have to pay them more money.

Now Mr. Shanker's union, the AFT, would be on top of you if those teachers didn't get more money. So that would require additional money. And I think the problem is that—and also the problem of equalization. You are not going to be able to take money away from affluent districts. It is very difficult.

We have about 10 State court cases pending all across the country, some that have been decided. And you read the morning Post and you will see down in Texas, they are still battling over a case which was won several years ago and they still can't equalize.

Mr. OWENS. There is a lot that the States will have to settle. What I am saying is, if the Federal Government has determined that education is important, it is a major item in terms of our national security, our national competitiveness, and we are moving to implement reforms and we are doing a number of things; but the one thing we are not doing, and I am shocked that this administration—they are not proposing putting any new money in even for these reform programs; there are only small amounts being proposed. The Goals 2000, you know, is going to put in, you know, a sizable amount of money that might probably have been used better for something else.

But anyway, before you get to that, don't we need to advise this administration that there will be very little cooperation out there of administrators and superintendents and teachers if they are struggling just to make ends meet? Mr. Cooper talked about teachers crying because of the fact that have a program that works, and they find it is going to be dropped. That is the story of innovative programs, that is the story of reform over the years. That which works gets cut, you know, because of the circumstances; and we go on really pretending that we are going to move forward, transform education in America. And yet, you know, the resources that have to come from the Federal Government, the only place it is going to come from is the Federal Government at this point on an emergency basis while the States get themselves together, the economy is restored.

We are denying that and this administration is not addressing that and we are not advising—I don't hear any voices in Washington raising hell about the fact that you are ignoring basic problems, schools are in serious trouble, and before you go forward with anything else you need to try to help them cope with the fact that these budget cuts have come one year after another.

Mr. Shanker, would you care to comment?

Mr. SHANKER. Yes, thank you. I hope I am not put into the column of those people who think you don't need more money in education. I have been coming here for a good number of years. I don't think I have ever asked for the same amount as the previous year or for reductions, and we need large increases now. And all the descriptions that have been given, the layoffs are not only tragic for the teachers and for the youngsters in the programs, but they also send a very strong message to bright youngsters who are preparing to become teachers. They get a message that there is no future in the field.

That is what happened in the late 1970s when lots of youngsters saw the layoffs in a number of places and just decided there was no future in this field. Then you have got to go looking for them later on.

I am a very strong supporter of lots of additional funding, high-quality Head Start, high-quality early childhood education, starting very early, carrying through into the regular school programs. I think that we are—we are way, way behind in terms of technology introduction.

Chairman Hawkins is absolutely right, our machines that cost about anywhere from a penny to a nickel to score these tests, whereas it would cost $1 to $4 to really, you know, go over essays and take the time and then do something with the youngsters, not just marking the paper. So I just want to argue on that. But I think at the same time we should not take people in the schools off the hook on what it is that can be done.

Now, the Chrysler Corporation a couple of years ago appeared here, both union and management, and they have had to turn out a better product with fewer resources, and they have done it. Every major corporation that has a crisis and is restructuring has to end up getting a better product, doing a better job with less.

Now, if we get less, it is going to be very, very tough. I think we will end up doing a worse job. And we are going to be here, and we are in legislatures and we are before city councils and boards of education fighting on this thing, but I think we have got to at the same time not take people in the system off the hook. And that is what I am worried about.

We had large increases in money during the 1980s, in real terms; and a lot of it was spent on process and very little on substance and content. And you can have a lot of money and not get any improvement in outcomes. And I want to make sure that we get the money, but also that we at the same time get on a track which makes sure that when we come back to the American people for more money, we can say, look, the last time you came up with more, we did something with it; here is what we did with it.

I think that the record here in terms of huge numbers of youngsters who would either have dropped out—and the dropout rate is lower now—or who would have graduated school illiterate or semiliterate, that group gone, we are talking about huge, huge numbers. I think this legislation has a terrific record in terms of accomplishment.

Mr. OWENS. Can I just finish up with one comment?

Chairman KILDEE. The second bell has rung. You may finish your comment as I am walking over there to vote. I haven't missed a vote in seven years. Gus recognizes those bells, but you may certainly make your comment. I am going to go over and vote. I will be right back.

If you could wait, we have some other questions here. Gus, I will say one thing, you and I back in 1981 dug our heels in and refused to vote for that reconciliation here. I remember that day very well.

Thank you very much.

Mr. OWENS. Mr. Chairman, I just want to follow up on a question by saying if we cannot get the compliance that Chairman Hawkins was talking about, they won't obey the law, they won't implement the law that exists already, should we write into the present measure punitive measures: Any person who willfully misuses or misapplies Federal funds should be subject to a civil suit, any person who continues to misuse Federal funds after being ordered to take action should be subject to criminal prosecution? Should we take that kind of step to make sure the persons who are out there receiving Federal funds for education take it seriously and implement the law?

I leave you with that thought.

[Recess.]

Chairman KILDEE. The committee will reconvene. Well, I guess we will start some questions here, and I won't put myself on a timer right now. That is a part of the privilege of the Chair.

Mr. Chairman, there is a great deal of talk this year about flexibility in the Federal programs, but particularly flexibility within Chapter 1. I would like to ask all of you at the table to discuss what you feel about flexibility, whether we should allow some flexibility as long as the objectives are met.

Maybe we will start with you, Chairman Hawkins, and then Dr. Taylor and Dr. Cooper. ~~But if we~~ should build in some flexibility into the Chapter 1 program.

Mr. HAWKINS. Oh, I think there is a great deal of flexibility in the program now.

Chairman KILDEE. Presently?

Mr. HAWKINS. Yes. We were not too overprescriptive, in my opinion. For example, on the matter of requiring or encouraging pull-out, we were somewhat neutral; and even on the matter of whether or not Chapter 1 students that are succeeding should be encouraged, and we should not lift that program. On the other hand, we should reward success by allowing them to continue. We were somewhat torn by whether or not we would allow flexibility to a school district to permit the continuation of funding to a school that had actually improved.

And so we were torn between the idea that Chapter 1 students should not live all their lives in Chapter 1, they should graduate, in a sense, from it and we should provide incentives. Well, we left it open, we provided incentives to continue; and actually I think it was Section—I referred to that in my remarks, Section 1013(b)(5), says that a LEA has discretion to continue to serve in its subsequent fiscal year, although no longer eligible, a school that was eligible in the immediately preceding fiscal year.

So if it is succeeding, they can allow it to continue and continue to be funded. But if they allow too much of that, then it simply means that other kids who are lower down would never have an opportunity. So that is another case where limited money does not allow a great deal. But we allow discretion; we were somewhat neutral on that.

But by doing so, we have now been charged that the pull-out is required by the law, which it is not. But that discretion is left with them. And having left that discretion, many of those in the pull-out program, merely because it is easier to justify spending the money there and they would never be left holding the bag for misspending the money. So that is what flexibility gets you into.

So you create a lot of problems with it, but I think we left enough flexibility for the local people to use some discretion in these matters. And after all, the personnel makes a big difference in the school district and as Dr. Taylor has demonstrated, in so many schools and in districts around the country, there are wonderful examples of people who use their discretion to do what is right.

How far you go—I think we have enough, and I wouldn't be in favor of any more flexibility. I would say, as I think Al Shanker said, after all, the schools should be accountable.

Chairman KILDEE. Dr. Taylor.

Ms. TAYLOR. Well, I think there is plenty of flexibility. I think the problem is with all Federal grants, and this is why the State departments have to be held more accountable than they have before about how that money is used.

As the money comes through—and I did some research a long, long time ago; I guess it was 1982 or 1983, about the use of early Chapter 1—Title 1, Chapter 1 funds. And there was no doubt in my mind that there was triage. In other words, they screened the kids so they could show results, because they would get them up, they would take some that were in the 40th percentile, and they would get them over the 50th, and that meant that they could keep their funding.

You know, school people are awfully smart. And whenever you pass legislation that doesn't specify certain outcomes, then what happens is they layer their money. They will get just what President Shanker said; they will do enough to get more money each year, but they are probably not really going to the letter of the law. And to me, some Chapter 1 money and some special education money goes for layered programs. They are not integrating them with the classroom and with the classroom teacher. And that is what we hold the classroom teacher and the aides and the Chapter 1 people—they are all accountable in effective schools for the progress of all children.

And here is an idea. It just came to me while Chairman Hawkins was speaking. You used to remedy poor schooling by saying, you know, well, here is some desegregation money. Well, maybe you should remedy poor schooling by saying here is some Chapter 1 money and this is what we want to see. I don't know if the analogy—I don't know the law that well; I don't know the Chapter 1 law as it stands now that well, but I do feel that if—you know, they can take it and use it—I think there should be some discretion, but where they are not showing any progress—we know how to teach all children. They should be held accountable for that.

And then there should be some focus, just as on any school that is not performing to say, okay, you know, I don't know what the remedy is, that is the problem, where is the system accountable? We don't know. And that is the main problem with education today.

So if you have a glimmer here in Washington that we haven't picked up in the United States, we would like to hear about it.

But I do feel that Chapter 1 has plenty of flexibility, and maybe in specific instances we should focus in on them and demand some progress.

Chairman KILDEE. Thank you, Dr. Taylor.

Dr. Cooper.

Mr. COOPER. I am a strong supporter of frameworks, frameworks that allow a clear structure to emerge. It is remarkable that I am a part of a panel that I rarely disagree with anything anyone has said today.

I do, however, have one point that—I wish Mr. Shanker was still here—and that is, you know, in terms of the funding question regarding administrators and so on within Chapter 1. I think the framework that has been established within the language of the law, as it presently stands, is strong. I think that what we need to do is fund leaders and fund leadership.

And sometimes Chapter 1 in certain school systems where we work is the only game in town, and the leadership that is being provided there is cutting across the board. And I would hope that that framework that we establish is strong enough and secure enough that those systems who are not in tune with the best ways of making use of money would learn from the others.

So I would recommend that somehow there is a possibility for building in the kinds of cross-fertilization that are necessary between and among districts. Somehow we need to create an avenue for sharing what works in certain systems, so other systems can build on it.

So even within the framework, no matter how tightly we might define it, teachers, administrators and parents sometimes will not follow the letter of the law. I think there is some good in that and there is some bad in that. So I would add a cautionary note to what my colleagues are saying in terms of not going too far with the framework and not allowing too much flexibility.

Chairman KILDEE. Thank you very much. See, you got some support back there.

The gentleman from Texas, Mr. Green.

Mr. GREEN. Thank you, Mr. Chairman. And I apologize to our panel for us having to run and come back and miss.

Mr. Chairman, I appreciate your comment earlier about the controversy in Texas because we are having our committee hearing tomorrow there. And having served 20 years in the legislature and fought those battles and education issues, it is not over yet; and frankly, I don't even know if it will be over if the judge closes our schools, but hopefully the legislature will not reach that point.

But the discussion earlier from President Shanker on both the funding formula and also his testimony on lower threshold—and I know one of the suggestions that has been successful from, I think it was the 1988 reauthorization, was the actually lowering of the threshold to where we can—a whole school can be a Chapter 1 school, for example. And that has worked well, at least in the district that I represent in Houston; and I would like to see even more of that, because you are serving the whole student body, and it addresses the pull-out question even.

The other interesting note, and we have had it before, is that 20 percent of—President Shanker talked about 20 percent of new money in Chapter 1 being devoted to professional development; and I think all of us recognize the need for additional professional development. We still have a long way to go to make that professional development relevant to inner-city schools and to be a real benefit. And I am glad to see it was of new money, instead of current money, because we don't have enough Chapter 1 funding now; and if we took away 20 percent or any percentage and earmarked it, then I would much rather see that in the classroom, like I think the whole panel today talked about.

Having served a lot of years in the legislature, I recognize sometimes that legislatures look at Chapter 1 or Federal funding as a whole as a way that they can save some dollars at home. And I know that is a concern that members of the committee share, not just myself from Texas, but other members who served in earlier legislative bodies. And so we need to guard against that, because it is not just Texas but a lot of States that are under challenge for equity in funding.

Typically, the Chapter 1 students are also the ones that need the equity, and we need to continue to watch that as—Members of Congress and I think most legislators recognize that, but sometimes the majority is not always fair in legislatures any more than it is in Congress—the funding formula that President Shanker talked about.

And I know that our Chairman asked some questions about the loss of students, and I was at a seminar a few months ago on bilingual education and there were members of the audience who were from States other than the States that have picked up students or would benefit from the 1990 census; and I asked one of the teachers in a New York school, I asked him—he said, we were going to lose money. I said, well, did you lose Chapter 1 students? And he said no.

And I think that shows us that—from the testimony today, that the formula needs to be reworked in that we need to put the money where the students are, if they are still in a New York or a Massachusetts school; but we also need to remember there are high-growth States—Texas, California, Arizona—who also have—we have estimated in Texas we have 200,000 Chapter 1 students during the 1990s that we are not serving because the money, the formula just didn't reflect it. So we need to recognize that, and full funding of Chapter 1 is, I think, the solution.

But again, knowing our concern up here with budget deficits and everything, that is a goal that we are all wanting to get. And if we could get that under this administration, we would repair a lot of—12 years of problems. But I would like to thank the panel; I think this is one of the best panels we have had today.

We have held a number of hearings on Chapter 1 and particularly from Chairman Hawkins, even—I am a freshman, but your name is real familiar to those of us who served in legislatures. Thank you.

Mr. HAWKINS. Well, with fuller funding, it would be possible, for example, to consider protecting New York from losing money by holding them harmless for the money they now have; at the same time, to increase Texas for the additional number of students that they have. You could do that, you could do that if you had money to work with. But with declining amounts of money, you can't do it. And that, to me, is how silly this idea becomes that you can do more with less. Really you can't.

And the point is that there is—let's face it, there is an obsessive love in Congress for deficit reduction, and it is pretty difficult for a member to vote in any way what seems to imply additional taxes. And that thing has got to stop. But I think people understand if you have leadership at the top who are willing to back you up—but the problem is, we never had leadership at the top that used their position to tell people what they should expect them to do. As long as Mr. Reagan was talking about social welfare programs taking up all the money, and he was cutting them, that went on and

BEST COPY AVAILABLE

everybody thought that was true. And so you don't have anybody talking about anything else except deficit reduction.

And I respect and obviously support very strongly Mr. Clinton in his views. But I was a little saddened to hear him talking about a trust fund for deficit reduction. I think it is a political blunder. If you are going to have a trust fund, it should go to that thing which will help deficit reduction most of all, and I think that is education. If we don't educate and become competitive and increase revenues through having people with income that you can tax, then you are not going to reduce the deficit. So deficit reduction, I think, is in your hands.

And Mr. Kildee knows that we have gone through this thing when we had the vote on whether or not we were going to cut back on programs that we knew would seriously impact on income and the deficit and the budget and whatnot. We felt very, very sad about—may I, before I forget it again, recall your attention, the attention over the years to the follow-through program. They are now talking about Chapter 1 students gained, but then they lose, and what they gain is somehow dissipated or lost. You were always fighting for follow-through.

You remember that, had it not been for your vote and your effort in that regard, we wouldn't have follow-through at all today. I think we only have a few programs.

Chairman KILDEE. Very close at times, those votes.

Mr. HAWKINS. There are about 40 programs throughout the country.

Now, if they want to do something about retaining the gains, they could help with a follow-through program between Head Start and the first grades in school, and follow-through is designed to do that. But even, I think, Mr. Bush advocated abolishing it.

Chairman KILDEE. Yes, he had zero funding for it.

Mr. HAWKINS. And you are the only one in the conference committee that spoke up and protected that program.

Chairman KILDEE. I appreciate the fact you remember that. That was a struggle that year particularly, and I always felt that Follow Through was a good insurance policy for programs like Head Start. It really guaranteed that those results would be maintained more.

Remember, Gus, back in 1981, too, when they determined that ketchup was a vegetable in the school lunch program?

Mr. HAWKINS. Yes.

Chairman KILDEE. You know, we always kidded in our department, never did they determine that a Cessna was a B–2 bomber, but they determined that ketchup was a vegetable. And neither has the Department of Defense ever had to have a bake sale to buy a B–2 bomber, but we have bake sales to buy basic technology for our schools. There is something wrong. I really think education dollars should be part of our capital budget as an investment in America.

One of the greatest investments this country ever made was when I was still in high school at the end of World War II, the GI Bill of Rights. In my part of town, the east side of Flint, Michigan, virtually no one went to college. We were the poorer side of town. And the GI Bill of Rights came along and gave every GI the ability to go to college.

And people from our part of town who never could have thought of going to college before, went to college and improved their skills and through the years have returned far more into the Treasury than what was ever invested in them. It was truly a good investment.

And I think we should look upon education as an investment and part of our capital budget. But they don't do that yet.

Mr. HAWKINS. Well, we gave the returning veterans from the Gulf War, we gave them parades, remember?

Chairman KILDEE. That is right.

That is why you and I have fought for Pell grants, you and I have fought for student loans, because we felt that again was an investment in America. And it helps improve the individual, but also improves our entire society.

Dr. Taylor, you wanted to comment.

Ms. TAYLOR. Yes, I just want to say, Mr. Green—where are you from in Texas?

Mr. GREEN. From Houston, Irving district.

Ms. TAYLOR. Good. We thought that maybe. I don't know if you know the Spring Branch schools.

Mr. GREEN. I am real familiar. I represent the poorer part of Spring Branch.

Ms. TAYLOR. Good. As you know, it is one of our best examples of an Effective Schools district. The reason I am bringing this up is what you say about urban—knowing how to train people for urban education is very true. And whereas we have had great success in places like Spring Branch and Prince Georges County, almost all of the districts that you have heard about that have a great deal of—many, many minority poor, white children, everything, you know, that you have in Spring Branch—they are usually Effective Schools.

So we know what to do in those kinds of districts. It takes leadership, but we know what to do. But when we get to the urban schools—and we are, I think, about to start on Chicago; you remember the first Effective Schools demonstration project was in New York City and was successful, that Lon Edmonds ran.

The only reason I am bringing this up is when and if OERI is reestablished and so on, I would like to see demonstration research, applied research, and not any more research on what works. And I think that this would be excellent to do in Houston and Chicago and the large cities, to say, all right, let's take the staff development that we have worked out—and we are not the only game in town any more, there are other good places, we just happen to have the change process—but let's take that and start working on the urban districts, because that is where the research base is, and let's see what we can do with things there.

As we know, schools are structured for the status quo. Unless we can break the way they function, then the system, no matter how much training you give in techniques for Chapter 1 kids or anything else, they are not going to be sustained unless that system changes. So there is where we are.

The training and then going about restructuring the district, the central office, if you will. That sort of thing is tough, very, very tough. That is where we are at. And I would love to see something come out of this committee towards, you know, money for these demonstration projects, because money in those demonstration projects will be for training for these teachers, as well as the systemic reform that needs to take place.

Chairman KILDEE. Thank you very much. I want to thank the panel. You certainly have been very helpful to this committee as we work our way through the reauthorization of the Elementary and Secondary Education Act; and you really brought wisdom, thoughtfulness, sensitivity, and deep concern. And I appreciate it very much. And we are going to stay in contact with you. I suggest you also stay in contact with Marshall Smith over in the Department, because they really, right now as we sit here, are working on their bill. I met with Secretary Riley yesterday or the day before yesterday—and they will have their draft up here and they are in the process of writing that draft now, too. So get your ideas to them as I am getting my ideas to them also.

But I really appreciate very much your testimony here this morning. We will keep the record open for two additional weeks for any additional inclusions in the record.

If anyone has anything further to say here—if not, we will stand adjourned.

[Whereupon, at 12:38 p.m., the subcommittee was adjourned.]

[Additional material submitted for the record follows.]

STATEMENT OF HON. DONALD M. PAYNE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Thank you, Mr. Chairman, and good morning. I would like to thank everyone for being here this morning as we begin our work on the reauthorization of this bill. I would like to extend a special welcome to Nicholas Michelli, who is the Dean of the School of Professional Studies at Montclair State College, in Upper Montclair, New Jersey.

His testimony will prove very useful in our discussions on how to improve Chapter 1, as Montclair State College is one of only eight schools around the Nation participating in the *Agenda for Teacher Education in a Democracy Project*. This is a national project designed to work to improve school facilities and improve education practices. Incorporating the idea of "critical thinking" while teaching, the development of the youngsters' social and academic thoughts enhances the academic performance of those students.

I am fortunate to have Harold A. Wilson Middle School for Professional Development in my congressional district, in Newark, New Jersey. This is New Jersey's first Professional Development School. The Newark Etchers Union and the Newark Board of Education serve as partners with the college, making the curriculum more comprehensive and the students better prepared.

Mr. Chairman, I look forward to all the testimony we will hear this morning. So many good examples of successful education programs exist around the country with good ideas about how to reform our schools and the assessment of our students.

I thank you for being here this morning. Thank you Mr. Chairman.

UNIVERSITY OF WISCONSIN-MADISON
WISCONSIN CENTER FOR EDUCATION RESEARCH
(608) 263-4730

1025 WEST JOHNSON ST., SUITE #685
MADISON, WISCONSIN 53706
FAX (608) 263-6448

NATIONAL CENTER FOR EFFECTIVE SCHOOLS
RESEARCH AND DEVELOPMENT

May 25, 1993

The Honorable Dale E. Kildee, Chairman
U. S. House of Representatives Subcommittee on Elementary,
Secondary, and Vocational Education
2239 Rayburn House Office Building
Washington, D. C. 20515

Dear Congressmen Kildee,

Thank you for your letter of May 17, 1993. And thank you for asking me to testify before your committee with regard to the Hawkins-Stafford Amendments of the Elementary and Secondary Education Act of 1965. I stated on May 13, 1993 that I was privileged to appear before the subcommittee; I add that I thoroughly enjoyed the opportunity, thanks to your excellent staff and the positive reception we were given by the members attending the testimony session.

There are three important points I wish to add to my testimony:

1) Comprehensive school change (so-called "transforming whole schools") is now feasible thanks to the professional development training program, School Based Instructional Leadership (SBIL), created by the National Center for Effective Schools Research and Development at the University of Wisconsin-Madison.

2) Integration of Chapter One children: The necessary training of teachers in equal opportunity delivery standards and effective teaching techniques, will go far to helping these children improve their academic performance.

This is done in Effective Schools all over the United States today.

3) There is concerted action now taking place in many school districts in the country to accomplish school reform using the Effective Schools process for school improvement/school reform. There are a number of state departments of education that are working to link these programs with state policy initiatives, using theory from Effective Schools Research:

Nebraska
Connecticut
New Hampshire
Vermont
New York

Washington State
South Carolina
North Carolina
Kentucky
Louisiana

Arkansas
California
Wisconsin
Michigan
Texas

Virginia
Iowa
Oregon
Colorado
Florida

Some are more successful than others in applying the theory to the policy cycle!

4) The trick is to encourage schools to apply the Effective School process to integrate Chapter One programs (as well as any other program initiatives) to "transform whole schools," and yet not lose monies for Chapter One personnel because of current state-wide reduction of education funds, coupled with this change in the Hawkins-Stafford amendments.

I wish you well in your deliberations.

I enclose a recent newsletter from the Wisconsin Center for Education Research (WCER), one of the original Office of Education research centers that were set up in the early sixties. This newsletter describes well the work and scope of the National Center for Effective Schools.

In November we sent to you and Congressman Ford our book, Making School Reform Happen. School reform - systemic school reform - is happening all over the United States, and the results are described in our book. We now need monies to train those practitioners who want to make their schools effective for all children.

Congressman Kildee, Effective Schools are being created all over your own state of Michigan. Ron Edmonds of Michigan State University (and Harvard), as well as Wilbur Brookover and Larry Lezotte, also of Michigan State, started the ball rolling in the early seventies with their early "Search for Effective Schools." You and your colleagues, especially former Congressman Gus Hawkins have brought the policy issues into focus. (We heard some of the war stories at the testimony, didn't we?) Now is the time to implement what we know and what we can do.

Excelsior!

Sincerely yours,

Barbara O. Taylor

Barbara O. Taylor, Ph.D
Consultant on Effective Schools/School Reform

BOT:efs

222 E. Wisconsin Avenue, Suite #301
Lake Forest, IL 60045
(708) 295-7270
(708) 295-7294 - FAX

WCER Highlights
Wisconsin Center for Education Research
School of Education / University of Wisconsin-Madison
Vol. 5, No. 2
Spring 1993

NCES Helps Schools Make a Difference

NCES staff (from left) Don McIsaac, Anne Turnbaugh Lockwood, Richard Rossmiller, and Edie Holcomb examine recent publications.

". . . to help schools ensure that all students, regardless of gender, race, or socioeconomic status, receive a quality education and an equal opportunity to learn." In adopting this mission, the National Center for Effective Schools (NCES) affirmed that schools *can* make a difference in the lives and learning of children. But not only children are affected. An effective school is a learning community in which all members—staff, parents, community members, and students—participate in creating a culture that strives for continuous improvement in all areas.

The Effective Schools movement stems from the work of researchers who refused to accept the mid-sixties conclusion that schools make little difference in the learning of children. Beginning in the late seventies, they first established that schools can make a difference and then identified the correlates of effective schools. These characteristics, such as safe and orderly environments, a climate of high expectations, and frequent monitoring, were found in schools that accomplished learning for all children. These are *necessary* ingredients, but their existence in a school does not, by itself, ensure school effectiveness.

Developing the process for continuous school improvement and sharing it with schools around the nation is the work of NCES. Richard A. Rossmiller, education professor and NCES director, stated, "We believe that school improvement is a process, not an event. The goal of NCES is to change the culture of a school from one in which the status quo is passively accepted to one in which the school is a learning community constantly seeking ways to improve learning for the children it serves." Through its professional development program titled School-Based Instructional Leadership (SBIL), its Management Information System for Effective Schools (MISES), and its quarterly publication *Focus in Change* and semiannual *Research and the Classroom*, NCES provides the knowledge and skills needed to achieve lasting change in a school's culture.

School-Based Instructional Leadership

Edie L. Holcomb, a gifted teacher and former school administrator, was responsible for the development of the SBIL modules from a set of narrative recommendations to hands-on practice for implementing the school improvement process. The modules, refined with feedback from more than 900 trainers, continue to change and expand.

SBIL directly involves members of school leadership teams in simulations of the activities they will coordinate. Team members include central office staff, school-level administrators, classroom teachers, support staff, parent and community representatives, and secondary students. Teams are trained in the original effective schools research, updated findings, and steps in the improvement process itself. The same background is provided for all district staff and interested members of the community.

Eight additional topics complete the program: Examining Effective Schools; Defining District and School Roles and Responsibilities; Improving Schools Through Teamwork; Affirming Mission and Beliefs; Gathering, Analyzing, and Reporting Data; Identifying Improvement Ob-

cont'd. on page 2

BEST COPY AVAILABLE

cont'd. from page 1

jectives and Selecting Strategies; Developing and Implementing the School Improvement Plan; and Creating Change in the School Culture.

Holcomb reports that the program can be provided in different ways to meet various districts' time requirements: a single week-long institute, nine individual workshops, or clusters of workshops throughout a school year. SBIL's Training of Trainers component allows a district or education agency to develop the internal capacity to provide consistent staff development and follow-up assistance.

Management Information System for Effective Schools

MISES, innovative computer software, allows schools and districts to readily determine whether their programs are working and whether they work well for all students. The reporting and charting features of MISES provide ways to inform all stakeholders of program effectiveness. It offers a generic approach, in contrast to the management systems offered by many publishers that are specific to their products.

MISES connects to a report writing program that allows users to create a variety of reports. It also provides additional support for management information systems or data bases already in place. To minimize duplication of data entry, data sharing methods are being devised. Currently, ASCII files can be read into or output from MISES.

Eight school districts and schools participated in the original field test and refinement of MISES, and five of those remain active. In a weekly seminar, school personnel reviewed and critiqued the development process and contributed to the development of software suited to the monitoring process for effective schools.

Don McIsaac, an education professor who led the development of MISES, has designed instructional management systems for nearly 30 years. As the performance expected of such systems changed and the available technology evolved, McIsaac has also altered specifications for instructional management systems to keep them in line with current best practice.

Publications program

Anne Turnbaugh Lockwood develops the stimulating NCES publications. She sends members six publications a year, four issues of *Focus in Change* and two issues of *Research and the Classroom*.

Each issue of the quarterly newsletter unites its three or four articles with a theme. At least one article presents a practitioner's point of view. The topic for each issue of *Research and the Classroom* pairs with an issue of *Focus in Change*, as shown by the following descriptions. First, from the Summer 1992 issue of the newsletter with the theme Multiculturalism: Diversity or Divisiveness?

> Whose knowledge should be taught? The distinguished scholar of multicultural education James W. Banks of the University of Washington Seattle addresses this question and illustrates his answers with rich classroom examples. How does an urban system attempt to adopt a multicultural curriculum? We speak to Evelyn Kalibala, who directs the Office of Multicultural Education for the New York City Public Schools. And finally, we discuss an advocate's role with Ollye Brown Shirley, school board president in Jackson, Mississippi.

And from the Fall 1992 companion publication:

> What does the research on typical staff development efforts in multicultural education reveal? Do such staff development efforts transcend the awareness level and have significant effects on curriculum and instruction? Christine E. Sleeter, noted scholar on multicultural education, discusses the findings of a three-year research study on staff development for multicultural education that she conducted and subsequently wrote an ethnographic book about. Sleeter stresses that dramatically restructured schools are necessary to effect significant change in curriculum and instruction that is truly multicultural. One of the participants in the study, now a director of multicultural education in a Wisconsin district, speaks of the hope he has for improved staff development in multicultural education in the future, but also stresses the importance of awareness level staff development.

A book of hope

Over 450 interviews are the basis for *Making School Reform Happen* by Pamela Bullard and Barbara O. Taylor. Teachers, administrators, and board members were interviewed. So were parents, central office administrators, officials in state education agencies, and students – "from the honors classes to the skinheads." The authors fully examine the Effective Schools process from philosophical background through struggles, successes, and failures to transformed people and schools. The book focuses on the moral imperative of teaching for learning for all, and the people committed to that goal.

Practitioners

The Effective Schools movement has many proponents whose work takes them on different routes to the goal of continually improving schools. *Highlights* asked four of these key players in the movement to write brief statements about their work and includes the statements on the following pages.

WCER Highlights Staff

Director ...... Andrew Porter
Editor ...... Paul Baker
Artist ...... Al Divine
Editorial Consultant
...Deborah Stewart
Administrative Contributor
...Lois O'Brien Opalewski

WCER Highlights is published four times a year by the Wisconsin Center for Education Research, School of Education, University of Wisconsin-Madison. WCER is funded through a variety of federal, state and private sources, including the U.S. Department of Education and UW-Madison. The opinions expressed in this publication do not necessarily reflect the position, policy, or endorsement of the funding agencies. Printed at 30 N. Murray St., Madison, Wisconsin. Fourth-class, bulk-rate postage is paid at UW-Madison, Madison, WI. Send changes of address to WCER, UW-Madison School of Education, 1025 West Johnson Street, Madison, Wisconsin 53706 (608) 263-4200. Include the address label from this issue.

No copyright is claimed on the contents of WCERHighlights. In reproducing articles, please use the following credit: Reprinted with permission from WCER Highlights, published by the Wisconsin Center for Education Research, UW-Madison School of Education.

BEST COPY AVAILABLE

Creating Schools Where All Children Learn

What happens after the research is finished, reported, and disseminated? Does anyone care about application? Fortunately, yes, quite a few people apply research at WCER and other educational "outposts."

And they do a very good job of it. This is why the National Center for Effective Schools (NCES) moved here in September 1989. At that time the name was National Center for Effective Schools Research and Development. It moved from Okemos, Michigan, where I and two other professionals, Larry Lezotte and Lydia McCue, formed the staff, supported by two assistants who made the place hum.

Founded in 1986 at Michigan State University, the center was in need again of university resources, because of the demand for technical services and development activities.

Application of research is probably the most demanding of "higher order thinking," but in schools of education, because it is so risky, few incentives are offered to those people who wish to work in this area.

It is safer to secure a big research grant, study the phenomena, report it, and get feedback on how well you have done. Nothing lost in this process. At least you have learned that you took the wrong path or studied the variables that matter least. That adds to the knowledge of what doesn't matter.

A number of leaders at WCER wanted to take a chance with a field or "outreach" organization. I was executive director of the center in Okemos and in 1990 became a consultant to the center with the title Associate for Planning and Institutional Relations.

After three years in Madison, the center is now ready to launch a national dissemination effort for its professional development modules, SBIL, and the attendant tool for information management, MISES. SBIL is for practitioners who wish to transform their schools into learning organizations that teach all children.

Consultant Barbara O. Taylor

If this does not sound like a risky venture to you, then you are not aware of what is now happening out there in the field: Of children in public schools in the United States, between 25% (in the best schools) and 75% (in the worst schools) are not properly taught, and therefore they have less chance to learn the intended curriculum. And yet we know how to teach all children, and we know that all children can learn.

The Effective Schools process as it exists today can be used by educators everywhere to implement curricular reform, new and innovative programs like Cooperative Learning and Mathematics My Way, Multicultural Education, Writing Across the Curriculum, Accelerated Schools —you name it. And using the process properly ensures that the program will be integrated into the curriculum, not layered onto counterproductive programs, producing chaos and utter confusion in the classroom.

Ongoing curricular development is the main product of the Effective Schools process, once the school and district have achieved changes in the structures and cultures of the schools, and school renewal has become routine.

To create schools where all children learn is decidedly school reform; some say it is revolution! All educators have a stake in this pragmatic philosophy. It is still a bit risky to answer the question, "Why do we do school improvement here?" with a simple, "Because all children can learn, we must therefore change the school and district so they support the classroom teacher in her efforts to teach all children."

In our book *Making School Reform Happen*, we have documented hundreds of examples where this very practice exists, and student performance is improving for all children. These educators have chosen to take the risk and try to teach all of their children, just as the NCES staff have chosen to do risky applied research. There are many aboard the ship with them in WCER. Their real reward is in staying with the practitioners until things work to the team's satisfaction. The ensuing celebration is what teaching and learning is all about.

My best teachers were the ones who understood my dreams. Now some of them are coming true. All children should be given the opportunity to make their dreams come true; we are stewards of their future.

About the author

Barbara O. Taylor is a consultant on school reform, school site governance, and the management of change. With Beverly Bancroft and Lawrence Lezotte, she founded the National Center for Effective Schools Research and Development in 1986, and was its executive director in 1988 and 1989. Her background is in community planning and development, political lobbying, and program development and implementation in education. Taylor took her master's degree in management at the J. L. Kellogg School, Northwestern University, and her PhD in Educational Administration and Policy Studies, also at Northwestern University. She is co-author with Pamela Bullard of the book, *Making School Reform Happen* (Allyn & Bacon, 1993).

BEST COPY AVAILABLE

Commited to Continuous Improvement

Superintendent Linda Barrows

The Oregon (WI) School District is committed to continuous improvement and is bringing focus to its program by designing and implementing outcome based curricula and collecting and analyzing data on student performance. The District has worked closely with the National Center for Effective Schools, both in training in the school improvement process and in developing a management information system.

Our recognizing the need for change is a positive step. Fortunately, an abundance of research and practice demonstrates methods schools can use to improve.

The three bodies of research and practice we use are the school effectiveness literature, the writings of Dr. W. Edwards Deming, and Outcome-Based Education. Some of the concepts of these research bases are overlapping; other concepts are unique to each. But when taken together, they provide direction for continuous improvement.

Specifically, these research bases firmly suggest that continuous improvement in a school system can be achieved only when all energy and resources are focused on attaining a clearly defined and mutually shared district mission.

Other requirements for continuous improvement are a clearly defined set of graduate outcomes and curricula deliberately developed to ensure achievement of the outcomes by *all* learners; methods of assessment aligned with the outcomes; a commitment to collect and analyze data; a view of improvement as a long-term, systematic commitment; involvement and ownership by all staff; ongoing training opportunities; and a willingness to scrutinize existing structures and methods of teaching and an openness to discard unproductive ideas and embrace promising new concepts.

We observe two very important cautions when talking about outcomes. First, teaching and learning activities must be developed so that *all* students can achieve success. The concept that all children can learn is basic to meaningful school reform. Instructional delivery systems must be designed to facilitate varying rates and styles of learners. Gaps and omissions in learning must not be allowed to develop for students. These gaps in learning for some students have been a fundamental criticism of schools.

Second, outcomes must be important concepts worthy of attainment. They must be "outcomes of significance."

The process of planned educational change is a long process for several reasons. It requires many years to develop a cohesive curriculum. Becoming knowledgeable about the impact of change in one area of the educational system on other parts of the system is time consuming too. Therefore, the message that "we're in this for the long haul" must be communicated early on and constantly reiterated.

The process is time consuming also because of the need for all staff to be involved. Group problem-solving and shared decision making take more time than less democratic structures. However, the benefits of group participation – shared ownership, greater commitment, and higher morale – merit the time costs.

Staff training needs also result in both time and resource commitment. As with students, staff members learn at different rates and in different ways. Training opportunities need to reflect variation in readiness rates and learning styles. Training opportunities also must model the new ideas or strategies being taught.

And finally, a willingness to examine old and comfortable ways and risk trying new ideas is essential in the process of continuous improvement. A climate that permits abandoning the old and embracing the new must be created. Beginning with small, manageable steps that are likely to produce early results is the most effective way to start the change process. As has been said many times, "nothing succeeds like success."

The process for continuous improvement is the result of dedicated people working together on behalf of and with students. The requirements that we have identified for our improvement efforts have been the result of considerable research, discussion, and thought.

I would be less than honest if I suggested that this has been an easy, quick, or controversy-free process. It has, however, been nurturing for everyone. And, early results with respect to student achievement data are very promising. We will continue on in our effort to achieve our District slogan, "Great . . . and getting better."

About the author

Linda Barrows is superintendent of the Oregon (WI) School District, located in south central Wisconsin. A graduate of the University of Wisconsin-Madison, she has worked in public education for more than 20 years as a teacher, researcher, and principal. Last spring she received the Lois Gadd Nemec Distinguished Alumni Award. In 1989, she was named one of the top 100 superintendents in the country. Barrows is a former president of Phi Delta Kappa ([illegible]). With her husband she spent two years in the Peace Corps in Sierra Leone, West Africa.

BEST COPY AVAIL

A Look Back and a Look Ahead

July 1991 marked the 25th anniversary of the Effective Schools Movement. Beginning in the late 1960s, researchers identified and described schools that made a difference in measured achievement for all children. The effective schools studies proved to predict many of the educational trends that were to follow in the 1980s and 1990s.

The learning mission

Before it was fashionable, the effective schools were firm in their conviction that the primary mission of the public school should be "learning for all."

This mission was predicated on three beliefs: First, all students can learn. Second, the individual school has control of enough of the critical variables to assure such learning. Third, schools should be accountable for doing so.

Today, most educators accept the proposition that all students can learn, and less time is required to convince educators of the accuracy and efficacy of that belief. Those remaining hold-outs have, as Ron Edmonds so eloquently stated many years ago, "reasons of their own for not wanting to believe that all students can learn."

Assessing the mission

The history of the Effective Schools Movement has contributed to another major paradigm shift in American public education. In 1966 educators were generally skeptical about looking at measured student achievement as a reasonable measure of a school's effectiveness.

Virtually every stakeholder group outside the schools feels strongly that assessed student outcomes form the bottom line of school effectiveness. Many of the internal stakeholder groups are beginning to give qualified endorsement to this notion.

The new results-oriented paradigm raises three important policy-related questions. Until they are resolved and the needed policy supports forthcoming, it is unlikely that we will make much progress.

What's worth knowing? If we agree that there is more to be learned than the schools could possibly teach to mastery in the time available, then someone must decide, "What's worth knowing?" At the moment, there is no consensus on this basic question.

How will we know when students know it? Assume that we have reached a consensus on what we want our children to know, do, and be inclined to do at the conclusion of their formal public schooling. This question raises the issue of measurement and assessment. Clearly, standardized norm-referenced achievement tests have fallen from favor.

What is not clear is what type of measurement system will replace them.

In many ways, the third question, "*Who says?*" should be the first because it is the most basic. The issue of who has the legal and moral authority to decide what's worth knowing, and how we will know when students know it, is absolutely critical. Historically, the United States has said one thing and done another on the question of who ought to decide national standards, state control, or local autonomy.

Learning for all

From study of outlier schools, effective schools research and associated practices have emphasized educational equity.

The effective schools researchers and advocates have long held to the standard that educational equity means that equal and high proportions of all students should demonstrate mastery of the schools' essential curricular goals.

The technique that was used to make such judgments required schools to disaggregate their valued student outcome data.

Today, the process of disaggregating outcome data by gender and racial/ethnic minority group is common practice across the country. The advocates of the effective schools process for school improvement have enthusiastically encouraged disaggregation as the most straightforward problem-finding strategy available to schools today.

Educational leaders have been much more reluctant, though, to disaggregate data based on students' socioeconomic status.

These are some of the policy issues that must be solved before the reform movement will truly gain significant momentum.

The Effective Schools Movement is as central to the reform discourse today as it was 25 years ago.

Lawrence W. Lezotte

About the author

Lawrence W. Lezotte, Senior Vice President of Effective Schools Products, Ltd., was a member of the original "team" of effective schools researchers who identified the characteristics of effective schools.

He has written widely on school improvement and effective schools research, including *Sustainable School Reform: The District Context*, *Creating the Total Quality Effective School*, and *A Guide to the School Improvement Process Based on Effective Schools Research*.

In recent years, he has traveled across the country to conduct hundreds of workshops and conferences, touching the lives of thousands of educators and tens of thousands of students.

Sixteen Steps Toward Success

John W. Porter, Center for Urban Educational Improvement

Since the publication of *A Nation at Risk* in 1983, there have been numerous attempts to create successful "school reform" across the nation. None of these attempts has been more successful than the Effective Schools Movement.

During this decade of school reform the focus has been at every level, some for the talented, some for the regular student, and some for the at-risk student. When success has been demonstrated, the biggest drawback has been the lack of transferability.

Now that the nation has, for the first time, National Education Goals, it is possible to test these school reform efforts against at least one set of standards to determine their effectiveness and transferability.

The Sixteen-Step Strategic Planning Process, created by the Urban Education Alliance, Inc. Center for Urban Educational Improvement, draws on the Effective Schools correlates to demonstrate effectiveness and transferability. The value of the Sixteen-Step Process is the utilization of "educational crescive practices" developed at the Center.

The Strategic Planning process was successfully demonstrated in the Detroit Public Schools and others between 1989 and 1992. It embraces the Effective Schools Movement originally envisioned by Ron Edmonds but adds three unique distinctions:

- The need to understand the desirable conditions for student/ school success when *identifying success*.
- The requirement that all success indicators be transformed into a means of *measuring for success*.
- The belief that, if a principal, teachers and staff are successful in bringing about improvements, there should be a means of *recognizing staff success*.

The UEA, Inc. Center process explained in the publication *The Modules for Success* requires a school system to complete the Sixteen-Step Process in five modules:

Identifying success, Measuring for success, Pursuing success, Organizing for success, and Recognizing staff success.

When completed, each module is to be published and made available to the public. This requirement relates to a fundamental premise that many school systems that lack the desirable conditions for success are organized to survive rather than to succeed.

By requiring public reporting, the UEA, Inc. Center process requires a third-party partnership from the private sector. This is another distinction from the Effective Schools Movement.

The third-party partnership creates a certainty of opportunity for those students not subject to graduate. This arrangement is similar to the third-party partnership that has always existed for college-bound students.

Consumers Power Company of Michigan, the state's largest utility, has become the initial third-party partner to demonstrate the value of this arrangement.

Evidence in the Michigan cities of Albion, Muskegon Heights, Oak Park, and Saginaw is that the process of a third-party partner is a powerful influence for school reform.

In the final analysis, school reform will be effective and long lasting only when there is a cultural change in the participating school and process is driven down to the classroom.

Fundamental to school reform is the need to understand that the principal and classroom teachers will not accept responsibility for student failure until they have seen that success is possible for students who lack the desirable conditions for staying the course until graduation.

The UEA, Inc. Center is developing such a staff development process entitled *In Search of Success*, which is focused at the building level.

Hopefully, as the Center's school reform efforts crystallize in 1993, the merging of the Effective Schools correlates will become even more compatible with the Sixteen-Step Strategic Planning process.

If so, it will benefit millions of children and youth who desperately need a healthy start, a head start, and a fair start to succeed in our urban public schools.

About the author

John W. Porter's career in education in Michigan spans 40 years. In 1969, he was elected State Superintendent of Public Instruction by the State Board of Education, the youngest Chief State School Officer in the nation and the first black State School Superintendent in the United States.

During his tenure, the state created the Michigan Education Assessment Program, which has become nationally recognized.

In 1979, Porter became President of Eastern Michigan University. He became the General Superintendent of the Detroit Public Schools in 1989, successfully revitalizing an urban school system. Porter formed the Center for Urban Educational Improvement in 1991 as an adjunct to the Urban Education Alliance, Inc.

BEST COPY AVAILABLE

New WCER Funding

Rounding out this issue of *Highlights* is an update on three projects, one new and two continuing with changes.

Improving preschoolers' behavior

Professors Thomas R. Kratochwill and Stephen N. Elliott have received funding from the U.S. Office of Special Education and Rehabilitative Services for a five-year research project in which school psychology graduate students consult with parents and teachers of Head Start children. The consultants will train teachers and parents to observe children's problem behavior and to intervene to alter those behaviors.

Many children experience difficulties with social skills or interpersonal relationships. Some are socially withdrawn, others exhibit inappropriate aggression. These difficulties can interfere with academic performance.

"One of our goals is to help socially withdrawn children develop cooperation and friendship-making skills," says Elliott. "Another goal is to teach children to control their anger by identifying anger cues, showing them ways to reduce anger, and helping them prevent anger-inducing situations." Teachers may work with these children in small groups, and parents conduct intervention activities in the home.

Students selected to participate in the study attend the 30 Head Start centers in Dane County, Wisconsin. Kratochwill points out that some Head Start children experience family stress and instability, and sometimes need mental health services. Head Start teachers welcome the services the study provides.

Teachers and parents identified the participating students as having serious social withdrawal or conduct problems. After assessing each child's general behavior, consultants focus on modifying one primary behavior that influences other behaviors. Teachers and parents will create opportunities for social interactions that prompt or cue socially desired behavior in the child, and they will reinforce socially appropriate behavior. They will ignore, rather than punish, inappropriate behavior. Following treatment, the children will be observed for one or two years in Head Start, and then for one or two years in public schools.

Kratochwill and Elliott believe the participating children will show improvements in their social skills, behavior, and academic performance. The students' parents are also expected to benefit from participating in the study. Consultants will teach parents to interact more efficiently with their children, working on the assumption that interactions between parents and children at home determine behavior.

Consultants will help parents learn to deal with their children's aggressive and noncompliant behavior, to give effective instructions, to attend to children differentially, and to ignore inappropriate behavior. Parents and teachers will communicate regularly about the child's progress and will help the child think of ways that the skills practiced at school can be used in the neighborhood or community.

MRC expands service area

As WCER's Multifunctional Resource Center (MRC) for Bilingual Education enters its third three-year contract, it adds North and South Dakota to its service area and a new director assumes responsibility.

With funding from the Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education, the MRC administers training and technical assistance to bilingual educators in Iowa, Michigan, Minnesota, North Dakota, South Dakota, and Wisconsin.

WCER's MRC for Service Area 6 is one of 16 MRCs nationwide. Dating back to 1975, the network of centers offers teacher training and consultative assistance to educators and parents of students with limited English proficiency (LEP).

Minerva Coyne became director of the MRC at UW-Madison in October 1992 after directing the Midwest MRC in Des Plaines, IL, for 12 years. She says her biggest challenge is trying to maximize the MRC's resources to provide services to teachers across the six-state area. The addition of the Dakotas means the MRC now serves more Native Americans. Service Area 6 also includes people of Hispanic and Southeast Asian descent, and Detroit is home to one of the largest Arabic populations outside the Mideast.

MRC's staff includes four training and research specialists and two field staff. They are generalists who can work effectively with people of varied cultural backgrounds.

Working with the Satellite Educational Resource Consortium (SERC), MRC broadcasts a series of training programs to 26 states. A four-part series is offered each semester, and college credit is available for participants. These broadcasts allow teachers in different states to participate in training simultaneously and reduce the need for traveling to distant school sites to conduct workshops. Each program is recorded on videotape, and participants call in and ask questions while the program is being taped. They can then purchase a copy of the video for training.

Each of the 16 MRCs serves as an expert resource for other MRCs, gathering information on subjects from immigrant/refugee programs to parent education and involvement to bilingual education for adults. At the direction of the Office of Bilingual Education and Minority Languages Affairs, the MRC for Service Area 6 gathers and reports information about educational technology in bilingual programs. This information will be available for districts' program improvement efforts.

Thanks to MRC, teachers of students of varied ethnic and linguistic heritages should find it easier to improve their instructional programs.

cont'd on page 8

BEST COPY AVAILABLE

Upward Bound provides an avenue

More low-income high school students are beating the odds by becoming the first generation in their families to attend college, thanks largely to Upward Bound.

And with the receipt of its second three-year grant, Upward Bound will continue to guide more first-generation college students toward their goal of postsecondary education.

Now ending its fourth year, the University of Wisconsin-Madison program is one of 11 Upward Bound projects in Wisconsin and 609 nationwide. Created in 1964 by the Economic Opportunity Act, Upward Bound projects receive funding from the U.S. Department of Education's Office of Postsecondary Education.

Twelve of the 13 students in WCER's Upward Bound's first graduating class (1992) are attending college. Seven were admitted to the University of Wisconsin-Madison, five to Madison Area Technical College, and one to Macalester College in St. Paul.

Students in Upward Bound's second graduating class (1993) already have been accepted to Vermont's Bennington College, Chicago's Columbia College, Milwaukee's Alverno College, and various campuses in the University of Wisconsin System. One student graduating early from Madison's East High School is already attending UW-Madison.

Upward Bound students have the potential to do well in college, but they're the first generation in their families to consider college a real possibility. They require a little extra nurturing and direction because the important information they need isn't always immediately available.

At least two-thirds of Upward Bound students must be potential first-generation college students from low-income families. The remaining participants must be either one or the other. They all have completed eight years of elementary school and are between the ages of 13 and 19.

Upward Bound Director Linda Lizana-Moss, herself the first in her family to attend college, recruits students through local middle schools and community centers.

Although many low-income students want to attend college, she says, they're often in the dark about what to do—arranging finances, achieving high class rank and grade point average, and taking the appropriate courses.

"All too often, kids aren't asked the right questions or given the appropriate information soon enough," Lizana-Moss says. Upward Bound can offer students no guarantees they'll be accepted into college, but it gives them the background necessary to succeed.

"We give them the tools they can use to find out about these things," says Lizana-Moss. "We provide an avenue."

Wisconsin Center for Education Research
School of Education
University of Wisconsin-Madison
1025 West Johnson Street
Madison, WI 53706

Nonprofit Organization
U.S. POSTAGE
PAID
Madison, Wisconsin
Permit No. [illegible]

NCES helps schools make a difference: see page 1.

Schools where all children learn: see page 3.

Implementing outcome-based criteria: see page 4.

Resolving policy issues: see page 5.

Modules for success: see page 6.

New WCER funding: see page 7.

HEARING ON H.R. 6, IMPACT AID AND CHAPTER 2

TUESDAY, MAY 25, 1993

House of Representatives,
Subcommittee on Elementary, Secondary,
and Vocational Education,
Committee on Education and Labor,
Washington, DC.

The subcommittee met, pursuant to call, at 10:06 a.m., Room 2261, Rayburn House Office Building, Hon. Dale E. Kildee, Chairman, presiding.

Members present: Representatives Kildee, Roemer, Mink, Goodling, Gunderson, McKeon, Cunningham and Fawell.

Staff present: Susan A. Wilhelm, staff director; S. Jefferson McFarland, subcommittee counsel; Lynn Selmser, professional staff member; and Andrew Hartman, education coordinator.

Chairman Kildee. The subcommittee meets this morning for a hearing on H.R. 6. Today's focus is the reauthorization of the Impact Aid law and Chapter 2 of Title I of the Elementary and Secondary Education Act. Witnesses are experts on the operation of these programs and will provide us with insight into how the law can be changed to improve their effectiveness.

Before introducing our witnesses, I want to recognize the Ranking Republican on both the subcommittee and the full committee, Mr. Goodling, an undisputed friend of education, and a good friend of mine. Mr. Goodling.

Mr. Goodling. Thank you, Mr. Chairman. I want to thank you for holding these hearings. Every place we go they seem to say Chapter 2 is so important to any kind of school reform and, of course, we are getting all sorts of controversy over Impact Aid at the present time so I thank you for holding these hearings. I think my colleague from Illinois would also like to say something.

Chairman Kildee. Gentleman from Illinois.

Mr. Fawell. I have no opening statement. I am a visitor, no longer being a member of this particular subcommittee; but I look forward to hearing the testimony.

Chairman Kildee. Very good. Appreciate your presence here this morning. Gentleman from Indiana.

Mr. Roemer. I would also like to welcome my colleague, Mr. Hoagland, from Nebraska. It is always a distinct pleasure to have his testimony before this committee, and even though I am a new member, I have had the privilege of listening to his testimony as a witness before on this committee in the last 2½ years and he always has something insightful to say. We have testimony today on two very important programs before this subcommittee, impact assistance and Chapter 2, and I know that there will be a great deal of suggestion on Chapter 2 moneys, whether they should be targeted, focused, or whether they should be flexible, resilient. And I look forward to the expert witnesses this morning telling us their opinions and giving us their insight on this. Thank you, Mr. Chairman.

Chairman KILDEE. Thank you. I yield back to Mr. Goodling.

Mr. GOODLING. I forgot to welcome Gene Heyman here and Gene is responsible for our Chapter 2 Program in Pennsylvania and the Chapter 2 program is very, very important to them. And that is why we wanted to have Gene come testify.

Chairman KILDEE. Very good. We welcome him.

Mr. FAWELL. Mr. Chairman, I believe I will be here when he testifies, but I would, if I may, like to mention that Mr. Tom Madden, the superintendent of Lemont High School District in my district, is here to testify in regard to section 2 Impact Aid with special reference to the manner in which assessed valuation is determined. Strangely enough the Department of Education utilized the land use from the period of time when the Federal land was acquired. In his particular case and in other cases in Illinois, the land acquisition goes back as far as 45 years and the Department takes the land use at that time in determining the current assessed valuation. Thus there is a feeling that now that we are reauthorizing the Impact Aid program, this is something the committee ought to review.

I thank the Chairman for the opportunity to express myself.

Chairman KILDEE. Mr. Cunningham.

Mr. CUNNINGHAM. Thank you, Mr. Chairman. I represent San Diego County, which you are aware of, and no matter what happens in base closure or base realignment, San Diego north and south county is impacted greatly by Impact Aid. I actually gain about 13,000 jobs with base closures. It is not good for California, but it is good for my district. And the problem is that the schools right now receiving the excess in military are impacted greatly in the lack of education funds. They are already cutting programs because of a State budget, a $10 billion deficit.

They are a country in themselves and with that kind of deficit they don't have the funds to educate the kids that are coming in there. So I fully support the Impact Aid funding and I would be anxious to hear what the testimony is. And hopefully, we can reverse the President's position on cutting Impact Aid and I would be supportive of putting that back in there.

Mr. GOODLING. Would the gentleman yield?

Mr. CUNNINGHAM. Yes, I will.

Mr. GOODLING. Did you say you are gaining people?

Mr. CUNNINGHAM. Yes, sir.

Chairman KILDEE. You mean according to the Secretary's proposal.

Mr. GOODLING. According to the Secretary's proposal, I was gaining 6,000 until last Friday when the Commission said they are going to look at the very places that I was to get the increase.

So the Commission has different ideas than the Secretary.

Chairman KILDEE. Just want to comment here, I have been here 17 years and I think even prior to that every President marched up the hill on Part B Impact Aid, and we made them march down it, too, again. I don't know what is going to happen this year. We have both authorization and appropriation, but I can't recall any of the years that I was here that—Presidents of both parties have always tried to lower the flag on Part B of Impact Aid.

Congress has always done something to at least lessen the lowering the flag on that. So we will look at that very closely this year and try to work with everybody. Peter Hoagland is a person who in campaign literature you could put conscientious, effective, and he helps, as a matter of fact, he really helps me form my conscience. I sat next to him a number of times. You have been very helpful, Peter. It is good to have you here this morning.

STATEMENT OF HON. PETER HOAGLAND, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEBRASKA

Mr. HOAGLAND. Those are kind remarks, Mr. Chairman, and I appreciate those and those of Mr. Roemer and the opportunity to introduce briefly some of the issues this morning in this hearing on Impact Aid. I am delighted Mr. Goodling, and Mr. Cunningham, and Mr. Fawell are interested to come to this hearing and contribute as they have to the effort to be sure that local school districts are adequately compensated for the burden that is imposed on them by Federal installations. And what I would like to do is pinpoint this morning some of the experiences that we have had in eastern Nebraska to illustrate the case for Impact Aid and why it is so necessary.

We have a major Air Force base in eastern Nebraska called the Offutt Air Force Base. Traditionally, it has been the home of the strategic air command, more recently of the strategic command. It is located in the City of Bellevue and near the community of Papillion La Vista. Now, the school districts in these two towns are required by law to educate literally thousands of children that are presented to them whose parents are in the military, some of whom live on base and some of whom live off base, but all of whom contribute much less to the Nebraska tax base than do civilian residents of Nebraska. And let me be specific on that. Even the so-called category B families, that is families that live off base, do not contribute to the tax base of our community as do civilian families, first, because of various privileges that they enjoy, which are not subject to local sales tax such as access to the base exchange, the commissary, recreational facilities, movie theater, and financial services through the credit union.

Now, in addition to that, of course, the families that live on base don't pay property taxes and in Nebraska we are reliant for well over 50 percent of our funding from property taxes. Now, the off-base parents do pay property taxes, but in many cases they don't pay income taxes, State income tax. Now, why is that important? That is important because in Nebraska 41 percent of all the funding for our school districts comes from what we call, and I am sure Michigan calls, State aid to education. And the State government's principal source of revenue for State aid education comes from State sales and income taxes.

Now, military families, whether they live on base or off base, can easily avoid payment of Nebraska's income taxes by declaring residence in another State, which military people are free to do. And, of course, any lawyer worth his or her salt would tell a military family to declare residence in a State like Texas that has no income tax. So, again, whether families live on base or off base, they are relieved of many of the sales taxes and quite easily avoid paying State income taxes and that way do not contribute to the State tax base that constitutes 41 percent of the budget of all of our school districts in Nebraska.

Now, another feature of the Bellevue school district that makes Impact Aid so important is the low property valuation per pupil. And I have a chart here, Mr. Chairman, I would like to make part of the record. And it shows that of the nine large, mostly urban K–12 school districts in Nebraska, Bellevue is the lowest. The Nebraska average valuation per pupil in those nine districts is $200,000. In Bellevue the valuation is $90,000.

Now, the reason for that is because 24 percent—I am sorry, 25.2 percent of all of the real estate in the Bellevue school district is part of the Offutt Air Force Base. The main industry that we have in Bellevue, Nebraska, is the air base, and the air base pays no property taxes whatsoever. So 25.4 percent of the land mass of the school district is simply removed in toto from the property tax base.

Bellevue also has few commercial operations because the main industry is the air base. So there are fewer commercial operations to tax, and the result of that is that we have this very low valuation per pupil in Nebraska. Now, if the President's proposal to phase out Part B, and I know that is not directly before the committee, but just to give the committee an idea of the impact, if that proposal to phase out Part B funding over three years were to be adopted by the Congress, why, this particular school district would lose $7 million of $11 million it currently receives.

If it were to make that shortfall up in property tax increases alone, without cutting any of the services offered, the property taxes on the average home in the school district would increase from $1,800 per year to approximately $2,400 per year, or an increase of 33 percent. That, of course, wouldn't happen. It would be accompanied—there would be a lesser property tax increase and considerable cutting of education programs.

Now, let me just make a final comment. I am delighted that this subcommittee is considering reviewing and perhaps completely overhauling the State aid program, the Impact Aid program, because I think it really does need a thorough examination, reevaluation. And in that connection, I would urge the committee to take a look at amending the Soldiers and Sailors Relief Act.

We are also in Nebraska heavily dependent upon levying personal property tax on automobiles. The county and school systems, county governments and school systems receive a great deal of revenue if the Soldiers and Sailors Relief Act protects enlisted and commissioned personnel from having their vehicles taxed. Now, it is estimated that we lose in Bellevue $3,575,000 in taxes on automobiles, all right.

Does it really make sense in this day and age to afford enlisted and commissioned personnel the protections of the Soldiers and

Sailors Relief Act? That may indeed have been warranted back in the World War II period when it was enacted, but is it really justified now? And it seems to me, Mr. Chairman, the committee could, by allowing local political subdivisions to levy a personal property tax on automobiles by amending that portion of the Soldiers and Sailors Relief Act, why then we would give local communities that additional taxing ability and take some of the burden off the Federal budget.

But let me say in closing that like many, many other school districts around the country, and representatives of many of those are here today, you know, we have no legal alternative but to educate these children when they are presented to us for education. Yet, because of all these varying circumstances that I have discussed, we don't recover nearly as much in taxes from their families, so we simply have to have this Federal aid if we are to provide the same quality education in those districts that prevails throughout the States.

Thank you for allowing me to come and address the subcommittee this morning.

Chairman KILDEE. I don't ordinarily ask members questions, but I will ask just one question, if I can, of you, Peter.

In Michigan we have a variety of revenue sources for education, property, income tax, sales taxes, proposal on the ballot June 2 to cut property tax and increase the sales tax to 6 percent. We have the lottery, and then we have the liquor tax. It is called Shots for Tots in Michigan. We have a variety of these taxes. Could you describe, say, a Part B person who works on Federal land, but does not live on the Federal land, which of these taxes would that person be less likely paying into or paying much less into—taxes you would have in Nebraska or these taxes here?

Mr. HOAGLAND. Well, first, Mr. Chairman, if he has received good legal advice, well, the family will declare as their residency a State that has no income tax. And many, many military families do that. So the number one loss to the State of Nebraska is we don't recover any State income tax.

Second, because the family can shop on base and have various privileges at the base exchange, the commissary, the movie theaters, the golf course and financial services through the credit union, why, they can avoid payment of a lot of local sales taxes. Now, State sales and income tax constitute virtually all the revenues at the State level and 41 percent of the school district budgets in Nebraska come from State aid education. All right. Also the City of Bellevue has its own sales tax and they can avoid payment of that by shopping at the commissary.

Now, the third category of taxes that they avoid is taxes on their automobiles, which is a big element in Nebraska. I think we have one of the highest personal property taxes on automobiles, but they are protected under the Soldiers and Sailors Relief Act from paying that tax. That doesn't make sense to me from a policy point of view, and the committee may want to look at that, may want to review that protection. And then, of course, for those families that live on base, they avoid paying a property tax. But that wasn't your question. Your question was with respect to Part B, and I think that that covers the Part B family exemption.

Chairman KILDEE. Okay. So they would not be living on Federal land, but they would still have these tax advantages because they are Federal military?

Mr. HOAGLAND. Exactly. And then there is the indirect effect on the county that their presence is related to, and that is that 25.2 percent of our land mass is the base itself. So there can be no commercial establishments there, there can be no private residences there that are subject to property tax. Because the base really is the industry of the area, that is the thing people live off, and that industry is completely exempt from any kind of property taxes. So you put those two things together and we wind up with our $90,000 valuation per pupil, the lowest of the nine K–12 urban districts in Nebraska, where the average is $200,000. That kind of ties it all together.

I have that chart here that I would like to be made part of the record.

[The prepared statement of Hon. Peter Hoagland follows:]

(A)

Characteristics of the Bellevue School District

1. Federally Owned Property

(a) Land Mass	
Bellevue School District (4,509)	25.2%
(b) Family Housing Units	2,650
Other Enlisted & Officer Quarters (bed spaces)	2,042

2. Offutt AFB Population (September, 1992)

Military	10,212
Appropriated Fund Civilians	1,398
Non-Appropriated Fund Civilians	1,520
Employed on Federal Property	13,130
Dependents	16,072
Total	29,202

3. Soldiers' and Sailors' Relief Act
   Licensed Automobiles FY Ended February, 1993

Sarpy County Residents	72,126 vehicles
Sarpy County Non-Residents	13,265 vehicles*
Licensed in Other States (Est.)	7,159 vehicles*

*It is estimated that $3,575,000 in taxes on automobiles is lost annually.

4. Exclusive jurisdiction removes from taxation.
   - (a) Privately Owned Real Property (banks, service stations, fast food restaurants, etc.)
   - (b) Privately Owned Personal Property (computers, telephone equipment, etc.)

5. Services Located on Federal Property (Retail sales on Offutt AFB totaled over $70,800,000 for fiscal year 1992. These services and property are exempt from sales or property taxes.)
   - (a) Commissary (largest retail establishment in Nebraska)
   - (b) Base Exchange
   - (c) Recreational Facilities (golf, bowling, theaters, gymnasiums, etc.)
   - (d) Financial Institutions (bank and credit union)
   - (e) Medical Services
   - (f) Other Services (service stations, barber shops, restaurants, hobby shops, day care, dry cleaners, etc.)

B

1991-92 Valuation Per Pupil

School District	Valuation Per Pupil	Taxes With $1.00 Levy
Westside	$327,184	$3,272
Ralston	$236,605	$2,366
Lincoln	$203,673	$2,037
Omaha	$185,991	$1,860
Springfield	$185,823	$1,858
Gretna	$154,838	$1,548
Millard	$143,831	$1,438
Papillion	$104,794	$1,048
Bellevue	$ 90,480	$ 905
Nebraska Average	$201,605	$2,016

STATEMENT OF CONGRESSMAN PETER HOAGLAND

before Subcommittee on Elementary and Secondary Education

on Reauthorization of P.L. 81-874, the Impact Aid Program

May 25, 1993

I want to thank you for the opportunity to testify today in support of reauthorizing the Impact Aid program. I especially want to thank Chairman Kildee for the invitation to be here this morning.

I appreciate that there is a need to streamline the Impact Aid program. Both supporters and opponents have argued that the program is too intricate and complicated and I support the Subcommittee's efforts to design a more streamlined funding formula. However, in our efforts to restructure the program, we must not forget the students who rely on this federal funding in order to receive a quality education.

A Federal Commitment

Over 40 years ago, Congress formally acknowledged the federal government's responsibility to assist local school districts required to educate students whose parents do not fully contribute to the school district's tax base. Congress did not establish this program as a special benefit; it was the fulfillment of what was seen as a federal responsibility to these communities.

In my Congressional district -- the home of Offutt Air Force Base -- Impact Aid is a critical source of funding. This large military installation employs thousands of uniformed Air Force personnel. They present their children to our schools, expecting that they will be educated. Yet they do not contribute fully to the tax base.

"B" Children Do Count

This morning I would like to talk about the importance of "b" funding. Mr. Chairman, in my Congressional district category "b" funding is critical. The public schools -- particularly Bellevue School District and Papillion-LaVista -- are required to educate over 8,500 federally-connected students whose parents work at Offutt AFB. These families pay much less in state and local taxes because of their protected status under the Soldiers and Sailors Relief Act and because of various privileges they enjoy which are not subject to local taxes, such as access to the Base Exchange, Commissary, recreational facilities and financial services (see Enclosure B.)

Approximately 41 percent of the funding for school districts budgets in Nebraska comes from state aid to education. The state government's principal sources of revenue are sales and income taxes. Military families can avoid payment of Nebraska income taxes by declaring residence in another state. There is a definite need for Impact Aid to offset the obligation of educating the children of military personnel.

Another important feature of Impact Aid for school districts such as Bellevue is the low property valuation per pupil. The enclosed chart illustrates that the tax base in Bellevue is the lowest of the nine large, most urban K-12 school districts in Nebraska. Bellevue has few commercial operations its area. Its main "industry" has always been the Air Base, which owns 25.2 percent of the land mass in the school district and pays no property taxes (see enclosure B).

BEST COPY AVAILABLE

Without funding for "b" students, consequences to these school districts would be severe. First, the school boards would be required to raise property taxes. If property taxes in the Bellevue School District were to increase to compensate for the entire loss of "b" funding, the property taxes on the average home in the school district would increase from $1,800 per year to approximately $2,400 per year or an increase by a factor of 33 percent. Most likely some of the shortfall would be made up by a lay-off of school personnel.

An Issue of Equity

Ultimately, the issue is one of equity. All parent expect their schools to provide these students a quality education. Impact Aid is a federal commitment to ensure that children affected by a federal presence receive the same educational opportunities as other students.

I want to express my appreciation and support to you and this Subcommittee for your help in the past and of continuing efforts to recognize the importance of this federal obligation which means so much to the students in my Congressional district and districts across the county. I pledge my attention and energy to do all I can to help restructure the Impact Aid program.

Chairman KILDEE. Let me ask one more question, and I know you are busy, but in the State of Nebraska, in the State aid formula, do they try to equalize and count the Impact Aid money that is received from the Federal Government as a local resource, and then adjust the formula in the State accordingly?

Mr. HOAGLAND. Mr. Chairman, it is a complicated formula. I was in the legislature eight years, never really understood it then. It does take into account the valuation per pupil. It also takes into account Impact Aid. I can't give you the details, except that I do know that it does not take into account differences in valuation nearly enough to make up for those differences.

Chairman KILDEE. Thank you very much.

Mr. Goodling, any questions?

Mr. GOODLING. You are asking for aid only for the military, not the civilians. The civilians working on your base pay all the taxes that you mentioned?

Mr. HOAGLAND. Mr. Goodling, if the civilians have privileges at the base facilities, why, then they would in that——

Mr. GOODLING. Like the commissary, for example?

Mr. HOAGLAND. Yes, then they can avoid the local sales tax, and that is a factual question I am not sure of the answer.

Mr. GOODLING. I would go to the Armed Services Committee with you and tell them that the Soldiers and Sailors Act is no longer needed.

Mr. HOAGLAND. Well, we should put our combat helmets on before going before the committee with that, but I do think it deserves scrutiny by this committee. Let me indicate that the mayor of Bellevue is quite upset about the fact that there is so much unauthorized vagabond use of the commissary facility. She estimates that the $12 million in volume from the local commissary per year is in goods purchased by people that don't, in fact—that are not, in fact, entitled to purchase goods there. So that is a big hemorrhage of local city sales tax and State sales tax.

Mr. GOODLING. Buying for their neighbors?

Mr. HOAGLAND. You bet, or for their family members. That is another issue we should send up to the Armed Services Committee, is set up a better mechanism to police who can use the commissaries. It sounds like it is a significant hemorrhage in our area.

Chairman KILDEE. Mr. Roemer?

Mr. ROEMER. I don't have any questions.

Chairman KILDEE. Mr. Cunningham?

Mr. CUNNINGHAM. Thank you. Being from the University of Missouri, I have a little problem with the corn huskers out there, but I do support and I understand, you know, going from $7 million to $11—or from $11 to $7 million in Impact Aid, I support that. I have a little trouble, though. I know right now the President is trying to cut the pay of the troops. I know many of them—I worked with them for 20 years. Most of these kids, especially below E–4, are on food stamps as it is today.

Besides cutting their pay, because they are moved around so much they can't invest in property like you and I could. I was very fortunate living on the West Coast. They can't all do that. There is a committee that is even trying to take away their recreational facilities, and it seems like we just keep blasting our kids in the military that fight our wars. And this member would not support taking their right away to be free of the taxes on their automobiles. Officers, they can afford to do it, but your enlisted troops, take a look at some of these kids sometimes. They don't have very much, they are not driving new cars around. They are living in poverty and these are the same kids that we ask to go and fight for us and in some cases die. So I would be very, very hesitant in supporting the latter, but the others, I will be happy to support you.

Mr. HOAGLAND. Well, maybe some of the experts who will follow me will have some statistics that they can offer in support of this recommendation that the Soldiers and Sailors Relief Act be reexamined.

Mr. CUNNINGHAM. Okay. As far as the commissary at Miramar, I mean they are adamant, you have got to show an ID card before you go in there and that is the way it should be.

Mr. GOODLING. But they can buy for all their neighbors?

Mr. CUNNINGHAM. Probably, yes. But that can be controlled by command, again by leadership within the commands itself and the enforcement of it.

Mr. GUNDERSON. Let's raise the pay in the commissaries.

Mr. CUNNINGHAM. Raise the pay in the commissaries with a COLA? Actually, it is cheaper on the outside for a lot of items.

Chairman KILDEE. Mr. Fawell?

Mr. FAWELL. I have no questions.

Chairman KILDEE. Okay. Mrs. Mink.

Mrs. MINK. No questions.

Mr. GUNDERSON. I am just enjoying being at the Armed Services Committee.

Chairman KILDEE. All right. Peter, thank you very much for your testimony this morning.

Mr. HOAGLAND. Thank you for the opportunity, Mr. Chairman. I appreciate it very much. Thank you for the committee's time.

Chairman KILDEE. Our witnesses, the next panel now are Mr. Gene Heyman, Program Manager, Federal Programs Division, Pennsylvania Department of Education; Dr. Joan Ruskus, Senior Researcher, SRI International; Mr. Ivan Small, Assistant Superintendent, Browning Public Schools, Browning, Montana; Dr. Charles Patterson, Superintendent, Killeen Independent School District, Killeen, Texas; Dr. John Simpson, Superintendent, North Chicago Unit School District 187, North Chicago, Illinois; and Dr. Thomas Madden, Superintendent of Schools, Lemont Township High School District Number 210, Lemont, Illinois.

If you would come forward.

Mr. FAWELL. Mr. Chairman, if I may, Congressman John Porter wanted to be at this hearing to introduce a constituent and a very good friend of his, Dr. John Simpson, who is the Superintendent of North Chicago Community Unit School District 187. This school district in North Chicago, Illinois has always had some real impact from the Great Lakes Training Center. In the absence of John who can't be here, I simply wanted to in his stead welcome Dr. Simpson to this gathering.

Chairman KILDEE. As I recall, Mr. Porter had a problem with Impact Aid and I cleared it with the Appropriations Committee here, but it got dropped in the Congress for the Senate. But I think

Mr. Natcher did take care of Mr. Porter's problem at that time in the House and it got dropped in conference. Okay. Mr. Heyman.

STATEMENTS OF GENE HEYMAN, PROGRAM MANAGER, FEDERAL PROGRAMS DIVISION, PENNSYLVANIA, DEPARTMENT OF EDUCATION; JOAN RUSKUS, SENIOR RESEARCHER, SRI INTERNATIONAL; IVAN SMALL, ASSISTANT SUPERINTENDENT, BROWNING PUBLIC SCHOOLS; CHARLES PATTERSON, SUPERINTENDENT, KILLEEN INDEPENDENT SCHOOL DISTRICT; JOHN SIMPSON, SUPERINTENDENT, NORTH CHICAGO COMMUNITY UNIT SCHOOL DISTRICT 187; AND THOMAS MADDEN, SUPERINTENDENT OF SCHOOLS, LEMONT TOWNSHIP HIGH SCHOOL DISTRICT NO. 210

Mr. HEYMAN. Chairman Kildee, Mr. Goodling, ladies and gentlemen, good morning. My name is Gene Heyman. I am the Chapter 2 Program Manager for the Commonwealth of Pennsylvania. I would like to thank the committee for asking me to testify today about Chapter 2, a Federal program which is having significant impact in the schools of Pennsylvania and in schools around the Nation.

I have been working with Chapter 2 since 1989 and have had the opportunity to implement the changes brought about by the Hawkins Stafford amendments of 1988. I understand that one of the primary goals of the Hawkins Stafford amendment was to make Chapter 2 a more focused, targeted assistance program. And I am pleased to report that goal has been largely accomplished in Pennsylvania.

Chapter 2 is no longer found money which disappears into the nether world of school finance. Today, the Chapter 2 Program is providing targeted, supplementary support in critical cutting edge programs such as school readiness, technological innovation, and school reform. For example, with Chapter 2 dollars, the Tyrone area school district in Pennsylvania, a rural district, provides an early childhood school readiness program, focused on national goal number one: By the year 2000 all children in America will start school ready to learn.

The project is a home-based, preschool parent training program, which assists parents in helping their children acquire early learning readiness skills. Approximately 50 disadvantaged families are visited several times each year by a preschool teacher and the teacher models helping skills for the parents who ultimately take over the task of helping their children get ready for school. Community involvement is an integral part of the program and local businesses donate materials and services. The project even has its own radio program on Sunday afternoons and the time is donated.

Test scores show that children who participate in this program are better prepared to start school, are less likely to require remedial services such as Chapter 1, and they are on grade level with their peers.

A second project in the Loyalsock school district, a small suburban school district near Williamsport, Pennsylvania, features a hands-on, challenging, computer-based science and math program which has transformed science and mathematics instruction in the high school. The emphasis is on national education goal number 4:

By the year 2000 U.S. students will be first in the world in mathematics and science achievement.

Real time scientific experiments are conducted using computer interfacing laboratories, satellite tracking and image acquisition from U.S. and Russian weather satellites. This innovative program extends the classroom walls into the real world by providing experimental and hands-on learning activities for all students, including both academically advanced and at-risk students. This project has been so successful for us that we have provided Chapter 2 funds to replicate the project in several other rural school districts in the State where money for technology purchases is severely limited and virtually overnight science in these schools has gone from litmus paper tests and worksheets to real scientific inquiry using current technological capabilities. There are many similar, successful projects and programs supported by Chapter 2 in other States, and I have provided the committee staff with information on successful Chapter 2 projects in many of these other States.

The Chapter 2 funds reserved for State use are provided for targeted assistance, effective schools and State administration of the Chapter 2 Program. Generally we spend between 2 and 3 percent of the grant each year for program administration rather than the 5 percent authorized. The remainder goes to support technical assistance and specific projects associated with school reform, early childhood interventions, teacher training, and so on. You are probably aware that Pennsylvania has undertaken a major educational reform. New school regulations and graduation requirements focus on what students know and can do, rather than how much time they have spent in a classroom.

Chapter 2 funds reserved for State use have been instrumental in supporting this reform by allowing for teacher training in performance-based education methods and techniques, curriculum development, transition planning, pilot projects, modeling and experimentation on the local level. In addition to school reform, Chapter 2 funds reserved for State use support supplemental projects in early childhood education, open libraries, summer intensive language program, and school improvement, just to name a few.

Chapter 2 is a very valuable Federal program for education in Pennsylvania. When considering the reauthorization of Chapter 2, I urge you to keep one primary principle in mind. Retain the essential character of Chapter 2. Retain the capacity of Chapter 2 to respond immediately to emerging State, local and student needs. Chapter 2 is the only Federal program capable of supporting a full range of educational services for all students in all schools. Retain local flexibility in decisionmaking as the cornerstone of the Chapter 2 Program. Local flexibility is the key to reform and innovation because it encourages increased support from parents and the community by creating local ownership of reform and innovative projects. Chapter 2 is the only Federal program with the flexibility to address any or all of the national goals for education.

Retain Chapter 2 support for programs meeting the needs of students at risk of failure in school. While other programs address the needs of the population of at-risk students defined on narrow grounds, the unique strength of Chapter 2 is its ability to tailor a project to meet the specific needs of the at-risk students in any school.

Retain the long and successful Chapter 2 tradition of supporting professional development for educational personnel. Chapter 2 presents an established structure to support increasing needs for training and staff development, relevant to educational reform. Retain the ability of Chapter 2 to bring cutting edge educational and instructional technology into the total education program in schools. Chapter 2 brings technology to children at an early age and exponentially expands the range of learning opportunities available to students.

Chapter 2 can be improved in reauthorization by enabling stronger support for school reform. For example, the effective schools targeted area can be expanded to include the full range of school reform and restructuring models. This will broaden and reinforce efforts already underway in States such as Pennsylvania. Also, the instructional materials targeted assistance area can be changed to educational technology and telecommunications, because much in instructional technology has changed significantly since 1987.

The scope of educational technology as supported by Chapter 2 has grown beyond mere overhead projectors to include distance learning, computer networks, automated science laboratories, integrated voice and data systems, and multimedia applications. And I believe there is a strong link between this technology and school reform.

In conclusion, I would like to say that in my experience Chapter 2 uniquely possesses the flexibility to support State and local innovation and creative efforts aimed at fundamental change in the classrooms of the Nation. Thank you very much.

Chairman KILDEE. Thank you very much.

[The prepared statement of Mr. Heyman follows:]

STATEMENT OF EUGENE F. HEYMAN, JR., CHAPTER 2 PROGRAM MANAGER, DIVISION OF FEDERAL PROGRAMS, PA DEPARTMENT OF EDUCATION

Chairman Kildee, Mr. Goodling, ladies and gentlemen, good morning. My name is Gene Heyman. I am the Chapter 2 Program Manager for the Commonwealth of Pennsylvania.

I'd like to thank the committee for asking me to testify today about Chapter 2, a Federal program which is having significant impact in the schools of Pennsylvania and in schools around the Nation.

I have been working with Chapter 2 since 1989 and have had the opportunity to implement the changes brought about by the Hawkins-Stafford Amendments of 1988. I understand that one of the primary goals of the Hawkins-Stafford amendments was to make Chapter 2 a more focused, targeted assistance program. I am pleased to report that goal has been largely accomplished. Chapter 2 is no longer found money which disappears into the nether world of school finance. Today, the Chapter 2 Program is providing targeted, supplementary support in critical, cutting edge programs such as school readiness, technological innovation, and school reform.

For example, with Chapter 2 dollars, the Tyrone Area School District, a rural district, provides an early childhood school readiness program, focused on National Education Goal number one. (By the year 2000 all children in America will start school ready to learn.) The project is a home-based, preschool parent training program, which assists parents in helping their children acquire early learning readiness skills.

Approximately 50 disadvantaged families are visited several times each year by a preschool teacher. The teacher models helping skills for the parents who ultimately take over the task of helping their children get ready for school. Community involvement is an integral part of the program and local businesses donate materials and services. The project even has its own radio program on Sunday afternoons. (The time is donated.)

Test scores show that children who participate in this program are better prepared to start school, less likely to require remedial services such as Chapter 1, (78 percent don't require Chapter 1) and are on grade level with their peers.

A second project in the Loyalsock School District, a small suburban district, features a hands-on, challenging, computer-based science and math program which has transformed science and mathematics instruction in the high school. The emphasis is on National Education Goal number 4. (By the year 2000, U.S. students will be first in the world in mathematics and science achievement.)

Real-time scientific experiments are conducted using computer-interfacing laboratories, satellite tracking and image acquisition from U.S. and Russian weather satellites. This innovative program extends the classroom walls into the real world by providing experimental and hands-on learning activities for all students, including both academically advanced and at-risk students.

This project has been so successful that we have provided Chapter 2 funds to replicate the project in several other rural districts in the State where money for technology purchases is severely limited. Virtually overnight science in these schools has gone from litmus paper tests and worksheets to real scientific inquiry using current technological capabilities.

There are many similar, successful projects and programs supported by Chapter 2 in other States. I have provided the committee staff information on successful Chapter 2 projects in many other States.

The Chapter 2 funds reserved for State use are provided for targeted assistance, effective schools and State administration of the Chapter 2 Program. Generally, we spend between 2 and 3 percent of the grant each year for program administration rather than the 5 percent authorized. The remainder goes to support technical assistance and specific projects associated with school reform, early childhood interventions, teacher training, etc.

You are probably aware that Pennsylvania has undertaken a major educational reform. New school regulations and graduation requirements focus on what students know and can do, rather than how much time they have spent in the classroom. Chapter 2 funds reserved for State use have been instrumental in supporting this reform by allowing for teacher training in performance-based education methods and techniques, curriculum development, transition planning, pilot projects, modeling and experimentation at the local level.

In addition to school reform, Chapter 2 funds reserved for State use support supplemental projects in early childhood education, open libraries, summer intensive language, and school improvement, to name a few.

Chapter 2 is a very valuable Federal program for education in Pennsylvania.

When considering the reauthorization of Chapter 2, I urge you to keep one primary principle in mind: retain the essential character of Chapter 2.

Retain the capacity of Chapter 2 to respond immediately to emerging State, local and student needs. Chapter 2 is the only Federal education program capable of supporting a full range of educational services for all students in all schools.

Retain local flexibility and decisionmaking as the cornerstone of the Chapter 2 program. Local flexibility is the key to reform and innovation because it encourages increased support from parents and the community by creating local ownership of reform and innovative projects. Chapter 2 is the only Federal program with the flexibility to address any or all of the *National Goals for Education*.

Retain Chapter 2 support for programs meeting the needs of students at-risk of failure in school. While other programs address the needs of populations of at-risk students defined on narrow grounds, the unique strength of Chapter 2 is its ability to tailor a project to meet the specific needs of the at-risk students in any school.

Retain the long and successful Chapter 2 tradition of supporting professional development for educational personnel. Chapter 2 presents an established structure to support increasing needs for training and staff development, relevant to educational reform.

Retain the ability of Chapter 2 to bring cutting edge educational and instructional technology into the total education program in schools. Chapter 2 brings technology to children at an early age and exponentially expands the range of learning opportunities available to students.

Chapter 2 can be improved in reauthorization by enabling stronger support for school reform.

For example, the Effective Schools targeted area can be expanded to include the full range of school reform and restructuring models. This will broaden and reinforce reform efforts already underway in the States.

Also, the Instructional Materials targeted assistance area can be changed to Educational Technology and Telecommunications, because much in instructional technology has changed significantly since 1987. The scope of educational technologies supported by Chapter 2 has grown beyond mere overhead projectors to include distance learning, computer networks, automated science laboratories, integrated voice and data systems, and multimedia applications. I believe there is a strong link between this technology and school reform.

In conclusion, I would like to say that in my experience Chapter 2 uniquely possesses the flexibility to support State and local innovation and creative efforts aimed at fundamental change in the classrooms of the Nation.

Chairman KILDEE. Dr. Ruskus.

Ms. RUSKUS. Chairman Kildee, Mr. Goodling, ladies and gentlemen, I am pleased to be here today to present research findings related to the Chapter 2 Program, which is now in its 11th year of operation. SRI International has been involved in studies of Chapter 2 since 1986. We conducted the first national study of the program three years into its implementation as a block grant program under ECIA. We found that the program was largely successful in achieving its goals, but its broad scope led to the dispersion of funds across many activities and an accompanying dilution of discernible effects. We are now in the 20th month of our 23-month study of Chapter 2 entitled, "How Chapter 2 Operates at the Federal, State and Local Levels."

Our study was designed to evaluate the role of Chapter 2 in promoting educational reform, to study program operations at each level of the educational system, and to document changes in the program since it was last reauthorized. Two data collection strategies were used to collect data needed for these purposes.

National surveys conducted at the State and local levels, and case studies of six State education agencies, or SEAs, Colorado, Indiana, Maryland, Mississippi, Texas, and Vermont, and 18 school districts embedded within those States. First, I would like to summarize some recent trends in the Chapter 2 program based on our just completed survey tabulations and our summary of the State annual report data.

I will then summarize survey data related to reported Chapter 2 effects and conclude with perspectives and reauthorization. Since its reauthorization in 1988, Chapter 2 allocations have remained very stable, ranging from a high of $463 million in 1989 to a low of $415.5 million, which has been proposed by the Clinton Administration for 1984. Because allocations are based on the school age population, the sizes of Chapter 2 grants to States vary widely, from a minimum of $2.3 million, up to $48.7 million.

Despite the fact that the total Chapter 2 allocation represents a substantial sum, Chapter 2 funds comprise a very small proportion, less than half a percent, of any State's education budget, regardless of the size of its grant award. In 1991, 1992, $450 million in Chapter 2 funds were allocated to SEAs and local school districts. Local agencies received 81 percent of these funds. The rest were retained at the State level. States distributed funds to districts on a formula basis. The formula took into account student enrollment which was weighted on average 71 percent, and high cost factors, including concentration of low income families, number of students from low income families, and population density.

The median level of Chapter 2 funds retained for State use was $1.2 million; that is, half of the States retained more and half retained less. Across districts of all sizes, the median amount of Chapter 2 funds at the local level was around $8,000. However, the median amount for very large districts, those with enrollment of 25,000 students or more, was $360,000, while the median amount for small districts with enrollments under 2,500 students was just $5,000. So you can see the broad range.

States allocated the highest percentages of their State Chapter 2 funds to innovative programs at 35 percent, including effective schools programs, and to Chapter 2 program administration at 20 percent. Local agencies, on the other hand, allocated the highest percentage of their funds for programs to acquire and use instructional materials, 40 percent, followed by programs to serve students who are at risk or whose education entails higher than average costs, 16 percent. More than two-thirds of districts that use Chapter 2 for computer hardware or software reported using equipment for instructional purposes.

Fewer than 5 percent of all districts use their Chapter 2-funded equipment for purchase or activities not related to students. In terms of direct effects on students and districts, district respondents reported a variety of positive outcomes associated with Chapter 2, despite the fact, as I mentioned earlier, that Chapter 2 generally contributes a relatively small portion of funding for any local program. Seventy-five percent of district respondents felt that Chapter 2-funded programs exposed students to new materials and technology, improved student services and improved student performance.

Over half of all districts believe the Chapter 2-funded programs provided funding for local priorities, allow districts to continue programs, and allow districts to initiate programs in educational innovations. We included a number of open-ended items on the State survey for the purpose of eliciting respondents' own points of view on key issues. Respondents to the State surveys were State Chapter 2 directors.

Our first question to them was, what has been Chapter 2's most important contribution to your State's educational program? 30 out of 52 State coordinators, or 58 percent, said that Chapter 2's most important contribution is the provision of additional support for educational reform or educational improvement. Data relevant to reauthorization were collected in two ways on the survey.

First, we asked State coordinators to indicate their level of agreement with a variety of possible changes that may improve Chapter 2 in their State. That was framed as a standard, closed-end item. We also asked them a series of open-ended questions on specific issues to solicit their own ideas. Potential changes that respondents felt most strongly about were these, that the Federal share of Chapter 2 funds should not be increased. Seventy-seven percent of States strongly disagreed with that, that effective school programs should be redefined to include the full range of school-based reform. Seventy-two percent of States, and that effective school set-aside should be eliminated, 69 percent of States.

Much of this quantitative data was echoed in the open-ended remarks of respondents. When we asked what changes to the current Chapter 2 regulations would most support your State in implementing educational reform, the principal change that State directors would like to see in the current Chapter 2 regulations is refinement of the target assistance areas. Forty percent of State directors suggested redefining effective schools to allow for the full range of school-based reform, rewriting all of the technical assistance areas to focus on reform, or aligning the targeted areas with the national goals.

The final open-ended item asked if a supplement not supplant provision were revised to provide more flexibility in the use of Chapter 2 funds, what types of programs or activities would your agency support? About half of the Chapter 2 directors felt that their States would support a greater number of reform-related activities, including those mandated by their State legislatures. So from the perspectives of State directors and district coordinators of Chapter 2, the committee should carefully consider the following changes in Chapter 2:

Redefine effective schools programs to include the full range of school-based reform. Eliminate the 20 percent set-aside for effective schools programs, at least as they are currently defined. Revise the supplement not supplant provision to provide greater flexibility in the use of funds. Redefine the target assistance areas to focus more directly on reform. From SRI's point of view as researchers, we agree with the State directors, that if the effective school set-aside is retained, it should be redefined to include all school-based reform.

Effective school programs, as they are defined in Chapter 2, have been replaced by more systemic efforts, along with a broad range of school-based reform activities. We agree that the supplement not supplant provision should be less restrictive, especially for the purpose of supporting education reform that may be mandated.

One quote out of our database illustrates the point of view of State coordinators on this. This person said, the current legislation often punishes States with mandated reform acts in an effort to prevent the appearance of supplanting by placing too many restrictions on the use of funds. It is difficult to coordinate resources from the State and Chapter 2 for an effective schools program if the State has a mandated reform act.

We also agree that the targeted assistance areas would benefit from a closer alignment with the national goals or even a State's own education goals. But beyond these recommendations, we at SRI suggest strengthening evaluation requirements for Chapter 2 and ensuring that States and districts are given more technical assistance in conducting evaluations. From our review of the State self-evaluations of effectiveness, we determined that only one-fourth of the evaluations were methodologically adequate and complete. We believe that formative evaluation would be more useful to States and districts than summative evaluation, which was required by the law.

If a summative evaluation of Chapter 2 is desired outside of the current SRI study, it would more effectively be conducted by an external evaluator than by the States themselves. We are sure that as we continue our analysis of the data, we will add to these preliminary recommendations and possibly modify those presented here. It does appear at this point in our evaluation of Chapter 2 that Chapter 2 provides a valuable source of funds, although a small one relative to other sources, that States and districts can use to support what they see as their priorities. This feature of the program is directly in line with the notion that the most effective reform is designed and implemented by those closest to the system it affects, whether those be States, districts, schools or classrooms.

Chapter 2 also appears to be a mechanism for initiating innovative, untried programs, that may not have had a chance to be pilot-tested otherwise. On the other hand, Chapter 2 is a resource that can be used in almost any way. We have seen instances where Chapter 2 is used to support valuable programs with documented outcomes and we have seen instances where Chapter 2 is used to support activities that are not clearly linked to instruction and programs that have not been able to demonstrate any clear effects. More systematic evaluation would do much to ensure that Chapter 2 funds are used effectively.

In conclusion, we believe that the Chapter 2 Program has the potential to serve as a more powerful vehicle for reform than it has in the past, and as the comments of our survey respondents indicate, those who operate Chapter 2 programs at the State and local levels support change in this direction.

Chairman KILDEE. Thank you very much.

[The prepared statement of Ms. Ruskus follows:]

PRELIMINARY RESEARCH ON CHAPTER 2 OF TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

Statement Before the
Subcommittee on Elementary, Secondary, and Vocational Education
of the
House Committee on Education and Labor

by

Dr. Joan Ruskus
Senior Researcher
SRI International
333 Ravenswood Avenue
Menlo Park, CA 94025

May 25, 1993

Introduction

I am pleased to be here today to present research findings related to the Chapter 2 program, which is now in its eleventh year of implementation. SRI International has been involved in studies of Chapter 2 since 1984. We conducted the first national study of the program three years into its implementation as a block grant program under the Education Consolidation and Improvement Act (ECIA).[1] We did a special study of Chapter 2 support for Chapter 1, which was used by this subcommittee in 1992.[2] We recently studied Chapter 2 and its relationship to school-based reform in our national study of effective schools programs.[3] We also assisted the Chapter 2 Program Office in summarizing state data from the 1989-90 and 1990-91 annual reports of budget allocations and data from the state self-evaluations of effectiveness.[4] We are now in the

---

[1] Knapp, M.S., and Blakely, C.H. (1986). *The Education Block Grant at the Local Level: The Implementation of Chapter 2 of the Education Consolidation and Improvement Act in Districts and Schools.* Menlo Park, CA: SRI International.

[2] Shields, P.S., and Anderson, L. (1991). *Chapter 2 Support for Chapter 1 Program Improvement.* Washington, DC: U.S. Department of Education.

[3] Shields, P.S., Anderson, L., Bamburg, J.D., Hawkins, E.F., Knapp, M., Ruskus, J., and Wilson, C.L. (1993). *Improving Schools from the Bottom Up: From Effective Schools to Restructuring* (Draft Final Report). Menlo Park, CA: SRI International.

[4] Padilla, C., Ruskus, J., and Williamson, C. (1993). *Summary of Chapter 2 Annual Reports.* Washington, DC: U.S. Department of Education; and Hawkins, E., Ruskus, J., and Wechsler, M. (1993). *Summary of Chapter 2 State Self-Evaluations of Effectiveness.* Washington, DC: U.S. Department of Education.

20th month of our 23-month national study of Chapter 2, *How Chapter 2 Operates at the Federal, State, and Local Levels*.[5]

I will not review the findings from each of these studies. Instead, I will focus on our most recent data, especially those data that speak to the value of Chapter 2 and issues pertinent to the upcoming reauthorization of Chapter 2. First, I will briefly review the evolution of Chapter 2 from its early years under ECIA as a rather generic block grant to its recent years under the Elementary and Secondary Education Act (ESEA) as a program more clearly focused on school improvement. I will then give an overview of SRI's study and draw upon both our summary of the state annual report data and our just-completed survey tabulations to point out recent trends in the program. To capture the spirit of the program, I will then describe an actual Chapter 2 program in action—Michigan's Schoolwide Improvement and Effective Schools Program.[6] Following this overview, I will summarize survey data related to reported Chapter 2 effects, and conclude with perspectives on reauthorization, based on our survey findings.

Evolution of Chapter 2

Chapter 2 began in 1981 as a block grant that consolidated over 40 former categorical grant programs (e.g., Teacher Corps, Follow Through, Strengthening State Agencies). It was signed into law with the passage of P.L. 97-35, the Education Consolidation and Improvement Act. State and local education agencies were given significant discretion in the use of Chapter 2 funds to improve education in their jurisdictions. This flexibility has become the hallmark of Chapter 2. Our evaluation of Chapter 2 under ECIA found that it was largely successful in achieving the goals set out for it in federal legislation. But the broad scope of the program led to the dispersion of funds across many activities and an accompanying dilution of discernible effects.

In 1988, the Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988 reauthorized Chapter 2 by amending the Elementary and Secondary Education Act of 1965. In partial response to concerns over a lack of program focus and prior use of funds for activities not directly related to students, the revised statute defined the purpose of Chapter 2 in terms that underscored instructional program improvement—"promising educational programs," "innovation and educational improvement," "meeting the needs of at risk and high cost students," and "enhancing the quality of teaching and learning through initiating and expanding effective schools programs."

---

[5] Ruskus, J., and Shields, P. M. (1991). *Supplement to a Study of Effective Schools Programs. How Chapter 2 Operates at the Federal, State, and Local Levels.* Subcontract to Policy Studies Associates, Contract No. LC89089001.

[6] Bielawski, P. (1992). *Evaluation of the Effectiveness of Chapter 2 ESEA in Michigan, School Year 1990-91.* Lansing: Michigan State Department of Education.

In a more directive way, the statute specified six allowable uses, or "target assistance areas," for Chapter 2 funds; it required states to set aside a portion of their funds for effective schools programs and limited expenditures for Chapter 2 administration; and it established two new reporting requirements: an annual report of Chapter 2 allocations and a self-evaluation of effectiveness.

Recently, a seventh target assistance area to promote literacy has been added to the original six, bringing the target areas more in line with the National Education Goals. States have submitted annual reports of their state and local Chapter 2 allocations since 1990, and they submitted their first state self-evaluations of effectiveness in 1992.

Overview of the SRI Study

How Chapter 2 Operates at the Federal, State, and Local Levels was designed to evaluate the role of Chapter 2 in promoting educational reform, to study program operations at each level of the educational system, and to document changes in the program since it was last reauthorized in 1988. Two data collection strategies were used to collect the data needed for these purposes: (1) national surveys conducted at the state and local levels, and (2) case studies of six state education agencies (SEAs)—Colorado, Indiana, Maryland, Mississippi, Texas, and Vermont—and 18 districts (3 within each case study state). The case studies will provide a rich, qualitative database to further our interpretation of the national survey data.

The two national surveys, the *State Survey of Chapter 2* and the *District Survey of Chapter 2*, were administered in the 1992-93 school year and covered data for the 1991-92 school year. We achieved a 100% response rate to the state survey and an 80% response rate to the district survey.

The state survey sample included the entire universe of SEAs, that is, all 50 SEAs plus the agencies of the District of Columbia and Puerto Rico. Respondents to the state survey were state Chapter 2 directors.

The district sample was drawn from the universe of districts that have teachers, students, and operating schools, but excluded several types of specialized districts. The survey was sent to an overall sample of 1,501 districts drawn from cells of a sampling frame defined by two variables: (1) district size, which was based on student enrollment, and (2) district poverty level. The district data were weighted to reflect the full population of districts in the nation. District survey respondents were local Chapter 2 coordinators or, if there was not a coordinator position, district staff most familiar with Chapter 2 activities.

Recent Trends

Since its reauthorization in 1988, Chapter 2 allocations have remained very stable, ranging from a high of $463 million in 1989 to a low of $415.5 million, which has been proposed by the Clinton administration for 1994. Based on the 1990-91 state annual reports, Chapter 2 funds were distributed across the country, roughly in proportion to regional enrollment patterns (see Figure 1).

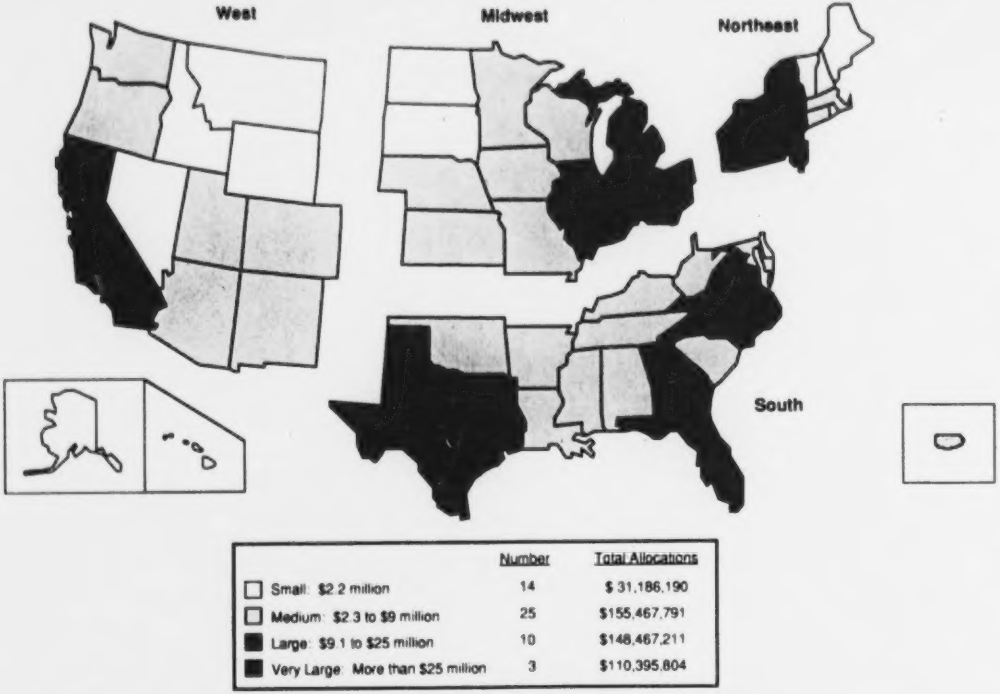
Because allocations are based on the school-age population, the sizes of Chapter 2 grants to states varied widely (from a minimum of $2.3 million up to $48.7 million). Despite the fact that the total Chapter 2 allocation represents a substantial sum ($452.3 million in 1990-91), Chapter 2 funds comprise a very small proportion (less than 1/2%) of any state's education budget, regardless of the size of its grant award (see Table 1).

In 1991-92, $450 million in Chapter 2 funds were allocated to SEAs and local school districts. Local agencies received 81% of these funds; the rest were retained at the state level. States distributed funds to districts on a formula basis. The formula took into account student enrollment (this factor was weighted, on average, 71%) and high-cost factors, including concentration of low-income families (weighted, on average 8%), number of students from low-income families (weighted, on average, 16%), and population density (weighted on average, 4%).

The median level of Chapter 2 funds retained for state use was $1,188,209 (that is, half retained more, half retained less). More than half of the states elected to allocate a portion of their state funds for discretionary grants to districts (median amount $52,500), primarily to encourage educational innovation. Across districts of all sizes, the median amount of Chapter 2 funds at the local level was $8,410. However, the median amount for very large districts (enrollment of 25,000 or more) was $359,771, while the median amount for small districts (enrollment under 2,500) was just $5,252. Chapter 2 funds were distributed relatively evenly across elementary schools, intermediate schools, and high schools.

States allocated the highest percentages of their state Chapter 2 funds to innovative programs (35%), including effective schools programs (22%), and to Chapter 2 program administration (20%) (see Table 2). These funding levels met the Chapter 2 requirement that states must allocate at least 20% for effective schools programs and no more than 25% for administration. Local agencies, on the other hand, allocated the highest percentage of their funds for programs to acquire and use instructional materials (40%), followed by programs to serve students who are at risk or whose education entails higher-than-average costs (16%) (see Table 3). More than two-thirds of districts that used Chapter 2 for computer hardware and software reported using the equipment for instructional purposes. Fewer than 5% of all districts used their Chapter 2-funded equipment purchases for activities not directly related to students (see Table 4).

Based on the 1990-91 annual report data, almost two-thirds (65%) of private schools enroll children who participate in state and locally funded Chapter 2 programs or


West
Midwest
Northeast
South

	Number	Total Allocations
☐ Small: $2.2 million	14	$ 31,186,190
▨ Medium: $2.3 to $9 million	25	$155,467,791
■ Large: $9.1 to $25 million	10	$148,467,211
■ Very Large: More than $25 million	3	$110,395,804

Figure 1: 1990-91 ALLOCATION OF CHAPTER 2 FUNDS TO STATES, BY GRANT SIZE

activities. This is only a rough estimate of the proportion of private schools with students participating in Chapter 2, since national data available on the number of private schools in operation in each state are inadequate.

Although local agencies have the primary responsibility for serving private school students, nearly all states (48) provided some Chapter 2-funded services to students in participating private schools in 1991-92. The median amount of state Chapter 2 funding allocated to serve private school students was $9,500, which was distributed across, on the average, 221 participating private schools per state. Across all districts, the median amount of Chapter 2 funds for services to private school students was $795, distributed across, on the average, four participating private schools. Very large districts allocated a median of $23,732 for services to private school students; small districts allocated a median of $330.

Nearly all states (98%) used Chapter 2 as a source of continuation funding for existing Chapter 2 programs. Almost two-thirds (65%) used Chapter 2 funds as seed money for new programs. Most districts (60%) tended to use their Chapter 2 funds to supplement their district budgets for instructional items. Like states, a high proportion of districts (53%) also used Chapter 2 funds to continue existing Chapter 2 programs. A much smaller percentage (19%) used Chapter 2 as seed money for new programs.

In terms of program content, most states used Chapter 2 funds to support state reform efforts. For example, Chapter 2 funds were used for effective schools programs by 98% of states, for school improvement planning by 82% of states, for curriculum frameworks that promote higher-order thinking by 76% of states, and for systemic reform efforts by 71% of states (see Table 5). States also used Chapter 2 funds for direct services to students, for professional development, and for instructional materials.

Like SEAs, districts also used Chapter 2 to support education reform, but not at the same high levels (see Table 6). Forty-two percent of districts used Chapter 2 for effective schools programs, 40% for curriculum frameworks to promote higher-order thinking skills, and 39% for activities related to National Education Goal "Science and Mathematics Achievement." Districts also used Chapter 2 funds for a variety of other programs—direct services for students, professional development, and materials and equipment. It is noteworthy that three-fourths of all districts reported that activities supported through Chapter 2 related to district priorities for education.

More than one-third of districts (39%) targeted particular student groups with their Chapter 2 funds; most often these were kindergarten-elementary students living in urban areas (94% of those districts that targeted student groups). Over three-fourths of districts that targeted student groups focused on this same level of students living in sparsely populated areas, with disabilities, from minority groups, limited-English-proficient (LEP), and gifted and talented; and over three-fourths targeted LEP students in middle school/junior high.

We know from the 1990-91 annual report data, that the highest percentage of public students benefit from Chapter 2 funds via tangible instructional materials (especially library materials, which affected 34%) compared with programs in the other target areas (see Table 7). When districts provided services for private school students, the services also tended to be related to purchase of instructional resources (e.g., materials and equipment) and computer hardware and software (84% of all districts that served private school students).

Chapter 2 in Action

States were required to submit a self-evaluation of their state and local Chapter 2 programs in 1992. These data, which are summarized elsewhere, included descriptions of more than 200 Chapter 2 programs and evaluations of those programs.[7] We have selected a program from Michigan's self-evaluation report to highlight here.

Michigan's Schoolwide Improvement and Effective Schools Program

Michigan has a long history of support for school improvement and effective schools. Much of the groundbreaking research on effective schools comes out of Michigan's pioneer efforts in state assessment and accountability. As early as 1984, the Michigan State Board of Education adopted the recommendation that all school districts should develop building-level school improvement plans. State leadership, funded in part through Chapter 2, has continued to provide the direction and support system guiding school improvement on a statewide basis.

In 1990, the State of Michigan adopted Public Act 25, which requires Michigan schools to develop, implement, and annually update building-level school improvement plans based on effective schools research. In December 1990, the State Board of Education adopted goals contained in *Education: Where the Next Century Begins*, which provide specific measurable objectives related to school improvement and effective schools.

In school year 1990-91, Michigan school districts reported expenditures of $972,742 (7.2% of their Chapter 2 funds) in the area of schoolwide improvement and effective schools. In addition to these funds, some of the Chapter 2 funds spent in the area of training and professional development were used to support awareness of effective schools research. Some of the funds in the materials and equipment area were used for technology related to implementation of district school improvement plans.

---

[7] Hawkins, E., Ruskus, J., and Wechsler, M. (1993). *Summary of Chapter 2 State Self-Evaluations of Effectiveness.* Washington, DC: U.S. Department of Education.

Evaluation surveys were received from 55 school districts that used Chapter 2 funds for effective schools projects in school year 1990-91. These districts used Chapter 2 funds to supplement and enhance effective schools activities beyond the level required by Public Act 25. Staff training was a part of almost all of the effective schools projects. More than half of the districts also focused on technical assistance and evaluation, while only 20 districts focused on parent and community participation as a part of the effective schools process.

Effective schools projects funded by Chapter 2 operated in 628 school buildings in the 55 districts. Slightly over a quarter of the buildings have high concentrations of students at risk of school failure or dropping out of school. A total of 1,735 staff at the preschool, elementary, and secondary levels indicated positive gains as a result of the program. Most of the districts have adopted school improvement action plans and goals and begun technical assistance and staff training.

Districts used observations, interviews, and questionnaires to assess the impact of their effective schools projects. Most districts reported assessment of student performance, positive school climate, high expectations, effective instructional leadership, and parent and community involvement as outcomes that were applicable to their effective schools projects. The majority of effective schools project participants indicated positive effects in every outcome area.

Projects funded by Chapter 2 were reported to be having an impact on the lives of teachers, educational administrators, school support staff, parents, and students across the State of Michigan. Positive effects of Chapter 2 projects were documented in the target assistance areas of materials and equipment, training and professional development, and schoolwide improvement and effective schools.

The federal Chapter 2 ESEA grant continues to provide Michigan schools with the necessary flexibility to develop projects designed to address local needs and priorities. It has been successful in encouraging local design which has led to local ownership and commitment to the innovative projects supported by Chapter 2 funds. Schools have used the flexibility to develop effective projects, which are improving achievement, attitudes, motivation, and self-esteem

Reported Effects

Before reviewing program effects in terms of outcomes and benefits, I would like to discuss a different type of effect—the effect of the Hawkins-Stafford Amendments on Chapter 2 operations. According to state directors of Chapter 2, Hawkins-Stafford has had a major influence on their use of Chapter 2 funds. The two most frequent changes made by states were (1) correcting inappropriate Chapter 2 staff assignments and/or Chapter 2 funding of positions, and (2) shifting away from "strengthening activities" (i.e., activities related to the general functions of the SEA). Both of these changes reflect the intent of the law to focus Chapter 2 on educational improvement and away from general operating functions of state agencies. More than three-fourths of the states put a greater emphasis on promoting effective schools programs as a result of the amendments.

Whereas the Hawkins-Stafford Amendments did change the way states operated their Chapter 2 programs, this was not the case at the local level. Two-thirds of districts reported that the amendments had ***not*** influenced their use of Chapter 2 funds. This was particularly the case for small districts (70%). However, it could be argued that the Hawkins-Stafford Amendments influenced districts indirectly through states. Half of districts reported that their states influenced their choice of programs/purchases.

In terms of direct effects on students and districts, district respondents reported a variety of positive outcomes associated with Chapter 2, despite the fact (as noted above) that Chapter 2 generally contributes a relatively small proportion of funding for any local program. More than three-fourths of district respondents felt that Chapter 2-funded programs **exposed students to new materials/technology, improved student services, and improved student performance** (see Table 8). More than half of all districts believed that Chapter 2-funded programs **provided funding for local priorities, allowed districts to continue programs, and allowed districts to initiate programs and educational innovations** (see Table 9).

We included a number of open-ended questions on the state survey for the purpose of eliciting respondents' own points of view on key issues. Our first question to them was, "*What has been Chapter 2's most important contribution to your state's educational program?*" Thirty out of 52 state Chapter 2 directors (58%) said that Chapter 2's most important contribution is the **provision of additional support for education reform or educational improvement.** Additional support includes activities such as leadership training institutes, implementation of effective schools research through pilot programs, promotion of best educational practices, hiring of staff to provide technical assistance to LEAs in support of reform activities, and development of school improvement plans.

Although the greatest number of responses dealt with Chapter 2's contribution to reform efforts, the program was also credited with **supporting innovation or special projects, and providing SEAs and LEAs with the flexibility to address state and local needs as they arose.** Chapter 2 was characterized as providing one of the few sources of funds at the local level for "risk taking" to try out new instructional practices.

About 20% of the state directors mentioned **Chapter 2's support of opportunities for professional development and the introduction or improvement of educational technology in their states.** One state director felt that Chapter 2 had "introduced technology to students at an early age and helped many districts realize long range plans to integrate technology into the curriculum." Another state director responded that "regional training opportunities supported by Chapter 2 funds proved to be the catalyst which allowed over 180 schools to evaluate and begin to revise their educational programs."

Perspectives on Reauthorization

Data relevant to reauthorization were collected in two ways on the survey: (1) we asked State Chapter 2 directors to indicate their level of agreement with a variety of possible changes that may improve Chapter 2 in their states in a standard quantitative item, and (2) we asked them a series of open-ended questions on specific issues to solicit qualitative data. The quantitative data showed that respondents felt strongly that the **federal share of Chapter 2 funds should *not* be increased** (77%), that **"effective schools programs" should be redefined to include the full range of school-based reform** (73%), and that **the effective schools set-aside (at least 20% of state funds for effective schools) should be eliminated** (69%) (see Table 10).

Much of the quantitative data displayed in Table 10 is echoed in the open-ended remarks of the respondents. When asked "*What changes to the current Chapter 2 regulations would most support your state in implementing educational reform?*" the principal change that state directors would like to see in the current Chapter 2 regulations is **refinement of the target assistance areas**. Approximately 40% of the state directors suggested redefining the effective schools requirement to allow for the full range of school-based reform, rewriting all of the target assistance areas to focus on reform, or aligning the target areas with the National Goals. If we add to these the recommendations for the inclusion of state reform initiatives and greater flexibility to address needs related to the goal of school improvement as defined by SEAs and LEAs, more than 50% of respondents are included.

Many of the suggestions to refine the target assistance areas were associated with the recommendation to **eliminate the 20% set-aside for effective schools**. One Chapter 2 director recommended allowing states to develop a multi-year reform plan and then determine a minimum amount of set-aside funds sufficient to support essential leadership services to implement the reform plan at the state and local levels.

More than one-third of the respondents wanted to **modify or remove the "supplement not supplant" requirement**, which some felt hindered the support of mandated state reform initiatives. These sentiments were characterized by remarks such as: "The current legislation often 'punishes' these states [with mandated reform acts] in an effort to prevent the appearance of supplanting by placing too many restrictions on the use of funds.... It is difficult to coordinate resources from the state and Chapter 2 for an effective schools program if a state has a mandated reform act."

Given that refinement of the target assistance areas was the most frequently recommended change to the Chapter 2 legislation, it is not surprising that responses to the question "*If the targeted assistance areas were redefined, what new categories would be most relevant and useful to your Chapter 2 program?*" closely resemble remarks made in response to the previous item discussed above. Refinement does not imply developing new categories, but rather refining the current target areas. More than half of the respondents recommended revising the effective schools component in particular or refining all target areas to focus on systemic reform activities or educational improvement in general.

The final open-ended item asked, *"If the 'supplement not supplant' provision were revised to provide more flexibility in the use of Chapter 2 funds, what types of programs or activities would your agency support with Chapter 2 funds?"* About half (48%) of the Chapter 2 directors felt that their **states would support a greater number of reform-related activities, including those mandated by the state legislatures, if "supplement not supplant" were revised**. Other areas receiving Chapter 2 support would include more professional development activities, the coordination and integration of services across program initiatives, expansion of support for instructional technology, support of model or innovative programs, and the creation of programs to address particular target groups (e.g., high-risk students, preschool programs, ESL) or social issues (e.g., drug abuse prevention, anti-violence, parent involvement, schools as community centers).

Almost equal numbers of respondents (approximately 16%) indicated that (1) no changes would occur as a result of this revision or (2) that the elimination of the provision could lead to an erosion of support for innovation and the supplanting of programs and staff. Some respondents did suggest that the "supplement not supplant" provision could be more flexible to allow more effective use of funds (e.g., greater flexibility in the use of program staff, integration of mutually related services).

From the perspective of state directors and district coordinators of Chapter 2, the committee should carefully consider the following changes in Chapter 2:

- **Redefine "effective schools programs" to include the full range of school-based reform.**
- **Eliminate the 20% set-aside for "effective schools programs," at least as they are currently defined.**
- **Revise the "supplement not supplant" provision to provide greater flexibility in the use of funds.**
- **Redefine the target assistance areas to focus more directly on reform.**

Once our study of Chapter 2 is completed (August 1993) and we have integrated the full set of state and district survey data with our case studies of SEAs and districts, we will be in a much stronger position to present policy alternatives for reauthorization. However, we have developed some preliminary recommendations with respect to reauthorization. We agree with the state directors that if the "effective schools" set-aside is retained, it should be redefined to include all school-based reform. Effective schools programs as they are defined in Chapter 2 have been replaced by more systemic efforts, along with a broad range of school-based reform activities. We agree that the "supplement not supplant" provision should be less restrictive, especially for the purpose of supporting educational reform that may be mandated. We also agree that the target assistance areas would benefit from a closer alignment with the National Goals, or even a state's own educational goals.

Beyond these recommendations, we suggest **strengthening evaluation requirements for Chapter 2, and ensuring that states and districts are given more technical assistance for conducting evaluation**. From our review of the state self-evaluations of effectiveness, we determined that only one-fourth were methodologically adequate and complete.[8] Further, the self-evaluation requirement was framed as a summative evaluation (final judgments of program quality), rather than as a formative evaluation (ongoing feedback for the purpose of program improvement). We believe that formative evaluation would be more useful to states and districts, especially if they are conducting the evaluations as self-evaluations. If a summative evaluation of Chapter 2 is desired (outside of the current SRI study), it would more effectively be conducted by an external evaluator with the necessary technical skills. We are sure that as we continue our analysis of the data, we will add to these preliminary recommendations and possibly modify those presented here.

It does appear at this point in our evaluation that Chapter 2 provides a valuable source of funds, although a small one relative to other sources, that states and districts can use to support what they see as educational priorities. This feature of the program is directly in line with the notion that the most effective reform is designed and implemented by those closest to the system it affects, whether those be states, districts, schools, or classrooms. Chapter 2 also appears to be a mechanism for initiating innovative, untried programs that may not have a chance to be pilot tested otherwise.

On the other hand, Chapter 2 is a resource that can be used in almost any way. We have seen instances where Chapter 2 is used to support valuable programs with documented outcomes, and we have seen instances where Chapter 2 is used to support activities that are not clearly linked to instruction and programs that have not been able to demonstrate any clear outcomes. More systematic evaluation would do much to ensure that Chapter 2 funds are used effectively. In conclusion, we believe that the Chapter 2 program has the potential to serve as a more powerful vehicle for reform than it has in the past, and, as the comments of our survey respondents indicate, those who operate Chapter 2 programs at the state and local levels support changes in this direction.

---

[8] Hawkins, E., Ruskus, J., and Wechsler, M. (1993). *Summary of Chapter 2 State Self-Evaluations of Effectiveness*. Washington, DC: U.S. Department of Education.

Table 1

CHAPTER 2 AS A PROPORTION OF STATE EDUCATION BUDGETS

Size of State Chapter 2 Grant	n	Mean Percentage of State Education Budget[1]
Small ($2.3 million)	14	0.34
Medium ($2.9 - $9 million)	25	0.28
Large ($9.9 - $21 million)	10	0.22
Very large (more than $29 million)	3	0.20

---

[1] Data on state education budgets taken from *Digest of Education Statistics, 1991,* National Center for Education Statistics.

Table 2

SEA CHAPTER 2 ALLOCATIONS TO TARGET ASSISTANCE AREAS IN 1991-92

(n = 50)[1]

Target Area	Mean Allocation[2]	Percent of Total Allocation	Median Allocation[2]
1 Programs to serve students at risk or whose education entails higher-than-average cost	$154,713	10.9%	$27,942
2 Programs to acquire and use			
Library materials	34,948	2.5	0
Computer software/hardware	28,239	2.0	0
Other instructional/educational materials	35,937	2.5	0
3 Innovative programs			
Schoolwide improvement	192,341	13.5	25,820
Effective schools programs	309,198	21.8	241,422
4 Programs of training and professional development	164,107	11.6	80,651
5 Programs to enhance personal excellence and student achievement			
Ethics	997	0.1	0
Performing and creative arts	21,057	1.5	0
Humanities	15,023	1.1	0
Physical fitness	5,500	0.4	0
Comprehensive health education	12,160	0.8	0
Community service	6,166	0.4	0
Other	30,573	2.1	0
6 Programs to enhance school climate and educational programs			
Gifted and talented programs	22,684	1.6	0
Technology education	44,092	3.1	0
Early childhood education	16,958	1.2	0
Community education	8,324	0.6	0
Youth suicide prevention	1,159	0.1	0
Other	30,668	2.2	0
7 Administration of the Chapter 2 program	283,953	20.0	168,388
Total 1991-92 Chapter 2 Allocation	$1,418,797	100.0%	$969,526

---

[1] **Allocations** for California and Indiana are excluded from this table because those states could not provide within-target-area **breakdowns**

[2] **Excludes funds** used for discretionary grants, but includes carryover funds

Source State Survey

BEST COPY AVAILABLE

Table 3

LEA CHAPTER 2 PUBLIC SCHOOL ALLOCATIONS TO TARGET ASSISTANCE AREAS IN 1991-92

			District Size			
	All Districts		Very Large		Large	
Target Area	Mean Allocation	Percent of Total Allocation	Mean Allocation	Percent of Total Allocation	Mean Allocation	Percent of Total Allocation
1 Programs to serve students at risk or whose education entails higher-than-average cost	$4,369	15.7%	$149,894	21.1%	$21,190	16.8%
2 Programs to acquire and use						
Library materials	4,240	15.3	74,892	10.6	18,247	14.5
Computer software/hardware	4,795	17.2	49,501	7.0	18,725	14.9
Other instructional/educational materials	2,204	7.9	38,121	5.4	10,623	8.4
3 Innovative programs						
Schoolwide improvement	1,524	5.5	54,571	7.7	4,956	3.9
Effective schools programs	944	3.4	18,715	2.6	5,836	4.6
4 Programs of training and professional development	3,510	12.6	84,100	11.9	20,035	15.9
5 Programs to enhance personal excellence and student achievement						
Ethics	43	0.2	2,616	0.4	135	0.1
Performing and creative arts	524	1.9	16,199	2.3	3,201	2.5
Humanities	175	0.6	3,837	0.5	623	0.5
Physical fitness	38	0.1	204	<0.1	337	0.3
Comprehensive health education	74	0.3	2,015	0.3	134	0.1
Community service	32	0.1	1,226	0.2	228	0.2
Other	482	1.7	16,922	2.4	1,994	1.6
6 Programs to enhance school climate and educational programs						
Gifted and talented programs	1,372	4.9	53,247	7.8	3,861	3.1
Technology education	830	3.0	21,803	3.1	5,456	4.3
Early childhood education	469	1.7	18,070	2.5	1,556	1.2
Community education	201	0.7	11,601	1.6	599	0.5
Youth suicide prevention	2	<0.1	24	<0.1	5	<0.1
Other	1,036	3.7	47,474	6.7	3,572	2.8
7 Administration of the Chapter 2 program	934	3.4	41,963	5.9	4,766	3.8
Total 1991-92 Chapter 2 Allocation (Public school share)	$27,887		$692,884		$126,039	

BEST COPY AVAILABLE

Table 3 (concluded)

LEA CHAPTER 2 PUBLIC SCHOOL ALLOCATIONS TO TARGET ASSISTANCE AREAS IN 1991-92

	District Size			
	Medium		Small	
Target Area	Mean Allocation	Percent of Total Allocation	Mean Allocation	Percent of Total Allocation
1 Programs to serve students at risk or whose education entails higher-than-average cost	$4,563	12.7%	$675	9.0%
2 Programs to acquire and use				
Library materials	7,062	19.6	1,400	18.6
Computer software/hardware	9,115	25.3	2,041	27.2
Other instructional/educational materials	3,859	10.7	635	8.4
3 Innovative programs				
Schoolwide improvement	992	2.8	478	6.4
Effective schools programs	1,171	3.3	298	4.0
4 Programs of training and professional development	4,088	11.4	983	13.1
5 Programs to enhance personal excellence and student achievement				
Ethics	2	<0.1	0	0.0
Performing and creative arts	400	1.1	125	1.7
Humanities	339	0.9	36	0.5
Physical fitness	36	0.1	21	0.3
Comprehensive health education	121	0.3	20	0.3
Community service	5	<0.1	6	0.1
Other	199	0.6	167	2.2
6 Programs to enhance school climate and educational programs				
Gifted and talented programs	1,425	4.0	191	2.5
Technology education	832	2.3	199	2.6
Early childhood education	244	0.7	138	1.8
Community education	11	<0.1	13	0.2
Youth suicide prevention	0	0.0	2	<0.1
Other	859	2.4	62	0.8
7 Administration of the Chapter 2 program	667	1.9	27	0.4
Total 1991-92 Chapter 2 Allocation (Public school share)	$35,977		$7,485	

Source: District Survey

Table 4

PRIMARY LOCAL USE OF COMPUTER HARDWARE AND SOFTWARE

	Percent of Districts[1]							
District Size	Instruction	Drill/Practice Noncomputer Courses	Information Retrieval	Computer Literacy/ Programming Courses	Upgrade/ Replace Current Equipment	Instructional Management	Administration	Other
All districts	68.6%	33.9%	34.1%	31.9%	24.6%	13.0%	4.4%	4.3%
Very large	86.1	34.0	55.3	33.3	26.9	22.1	8.1	2.3
Large	86.5	31.1	46.5	29.1	20.7	22.4	7.5	4.9
Medium	79.0	37.4	35.7	35.8	22.0	17.6	4.9	3.8
Small	63.7	33.0	32.4	30.7	25.6	10.8	3.9	4.5

[1] Based on 72% of districts that reported purchasing computer hardware and/or software with Chapter 2 funds

Source District Surveys

Table 5

CHAPTER 2 SUPPORT FOR STATE EDUCATION REFORM ACTIVITIES IN 1991-92

(n = 52)

Reform Activity	Percent of SEAs Using Chapter 2 Funds[1]
Support for effective schools programs	98.0%
Other educational reform activities	88.9
Support for school improvement planning	81.6
Revising/developing curriculum frameworks that promote higher-order thinking skills	76.2
Systemic reform efforts	71.1
Support for school-based restructuring efforts	69.4
Activities related to the National Goal "Student Achievement and Citizenship"	61.4
Activities related to the National Goal "Science and Mathematics Achievement"	56.0
Activities related to the National Goal "Readiness for School"	53.2
Activities related to the National Goal "High School Completion"	52.0
Establishing public-private partnerships	46.2
Revising/developing standards for student performance	44.7
Activities related to AMERICA 2000	42.9
Developing alternative measures of student achievement	40.4
Activities related to the National Goal "Safe, Disciplined, and Drug-Free Schools"	32.7
Alternative teacher and/or administrator certification	18.9
Activities related to the National Goal "Adult Literacy and Lifelong Learning"	17.0

[1] Based on the number of states that engaged in the specified reform activity.

Source: State Survey

Table 6

CHAPTER 2 SUPPORT FOR LOCAL EDUCATION REFORM ACTIVITIES IN 1991-92

Reform Activity	Percent of Districts Using Chapter 2 Funds[1]
Other educational reform activities	48.1%
Support for effective schools programs	42.0
Revising/developing curriculum frameworks to promote higher-order thinking skills	40.0
Activities related to the National Goal "Science and Mathematics Achievement"	39.1
Support for school improvement planning	31.5
Activities related to the National Goal "High School Completion"	27.4
Revising/developing standards for student performance	27.0
Activities related to the National Goal "Student Achievement and Citizenship"	26.6
Support for school-based restructuring efforts	23.4
Systemic reform efforts (i.e., aligning reform across all components of educational system)	22.8
Activities related to the National Goal "Adult Literacy and Lifelong Learning"	22.8
Activities related to AMERICA 2000	15.6
Developing alternative measures of student achievement	14.7
Activities related to the National Goal "Safe, Disciplined, and Drug-Free Schools"	11.9
Activities related to the National Goal "Readiness for School"	11.4
Establishing public-private partnerships	4.8

---

[1] Based on the number of districts that engaged in the specified reform activity

Source: District Survey

Table 7

PUBLIC SCHOOL STUDENTS SERVED BY CHAPTER 2-SUPPORTED PROGRAMS IN 1990-91
(n=44)

Target Area	Total Number of Students Served	Percent of Public School Enrollment[1]
① At-Risk/High-Cost Student Programs	3,396,474	11.0%
② Instructional Materials		
a Library materials	10,447,577	33.8
b Computer software/hardware	7,786,183	25.2
c Other	6,792,393	22.0
③ Innovative Programs		
a Schoolwide improvement	2,235,937	7.2
b Effective schools	1,290,032	4.2
⑤ Programs to Enhance Personal Excellence and Student Achievement		
a Ethics	363,019	1.2
b Performing and creative arts	814,771	2.6
c Humanities	170,933	0.6
d Physical fitness	65,085	0.2
e Comprehensive health education	208,311	0.7
f Community services	76,231	0.2
g Other	648,200	2.1
⑥ Programs to Enhance School Climate and Educational Program		
a Gifted and talented programs	465,952	1.5
b Technology education	1,187,004	3.8
c Early childhood education	112,451	0.4
d Community education	339,459	1.1
e Youth suicide prevention	68,200	0.2
f Other	1,223,055	4.0

---

[1] Calculated from data on total number of students in public schools, in *Projections of Education Statistics to 2002*, National Center for Education Statistics (1991)

Source State annual reports

Table 8

LOCAL CHAPTER 2 ACCOMPLISHMENTS RELATED TO STUDENT LEARNING

	Percent of Districts[1]			
District Size	Exposed Students to New Materials/ Technology	Improved Student Services	Improved Student Performance	Targeted Services to Particular Students
All districts	79.5%	75.4%	75.2%	43.3%
Very large	84.1	84.8	89.7	72.4
Large	79.4	75.1	80.4	58.1
Medium	79.7	74.1	82.7	47.9
Small	79.3	75.6	72.5	40.6

---

[1] Excludes districts that responded "don't know" or did not respond to the survey item

Source: District Survey

Table 9

LOCAL CHAPTER 2 ACCOMPLISHMENTS RELATED TO DISTRICT CAPACITY

	Percent of Districts[1]						
District Size	Provided Funding for Local Priorities	Allowed District to Continue Programs	Allowed District to Initiate Programs/ Innovations	Provided Funding for National Goals	Provided Funding for State Priorities	Improved District Administration	Other
All districts	57.1%	54.8%	51.3%	23.2%	20.9%	10.2%	2.1%
Very large	81.3	78.9	76.6	43.3	31.1	22.5	7.7
Large	69.7	68.9	66.7	36.8	27.4	14.1	4.5
Medium	60.1	60.1	57.4	27.9	24.8	12.7	1.6
Small	55.2	52.1	48.3	20.7	19.3	9.1	1.9

---

[1] Excludes districts that responded "don't know" or did not respond to the survey item

Source: District Survey

Table 10

PROPOSED CHANGES IN CHAPTER 2 PROGRAM TO IMPROVE STATE SERVICES

(n = 52)

	Percent of SEAs[1]				
	Disagree Strongly	Disagree Somewhat	Agree Somewhat	Agree Strongly	Mean Rating[2]
Proposed change to funding/allocation requirements					
Distribute Chapter 2 funds to states on a formula based on the numbers of high-need children in the state	47.1%	21.6%	19.6%	11.8%	2.0
Allow states to decide how Chapter 2 funds would be allocated at the local level	19.2	25.0	21.2	34.6	2.7
Eliminate the 20% set-aside for "effective schools programs"	15.4	7.7	7.7	69.2	3.3
Increase the share of Chapter 2 funds reserved for state use	18.4	36.7	24.5	20.4	2.5
Increase the share of Chapter 2 funds that flow through to locals	25.5	35.3	19.6	19.6	2.3
Increase the share of Chapter 2 funds retained at the federal level	76.9	19.2	3.8	0.0	1.3
Proposed change to procedural requirements					
Consolidate Chapter 2 with other state and federal discretionary grant programs to provide greater flexibility in implementing reform	28.8	19.2	26.9	25.0	2.5
Replace Chapter 2 application with a multi-year reform plan	24.5	10.2	42.9	22.4	2.6
Redefine "effective schools programs" to include the full range of school-based reform	1.9	5.8	19.2	73.1	3.6
Revise the "supplement not supplant" provision to provide greater flexibility in use of funds	17.3	9.6	19.2	53.8	3.1
Redefine the target assistance areas to make them more relevant and useful	5.9	11.8	45.1	37.3	3.1
Eliminate target assistance areas	38.5	23.1	21.2	17.3	2.2

[1] Excludes states that responded "no opinion" or did not respond to the survey item

[2] Based on a 4-point scale 1=disagree strongly, 2=disagree somewhat, 3=agree somewhat, 4=agree strongly (The midpoint is 2.5)

Source State Survey

BEST COPY AVAILABLE

Chairman KILDEE. Mr. Small.

Mr. SMALL. Good morning, Mr. Chairman, members of the committee. My name is Ivan Small and I currently serve as the President of the National Association of Federally Impacted Schools, NAFIS. Let me first of all extend to you my appreciation for allowing NAFIS to participate in the current hearings your subcommittee is holding as you prepare for the reauthorization of the Elementary and Secondary Education Act.

Our purpose this morning is to present testimony on behalf of the reauthorization of the Impact Aid Program by our association referred to as the Phoenix proposal. With me today is Dr. Charles Patterson. Dr. Patterson serves with me on the board of directors of the national association and is Superintendent of schools at the Killeen Independent School District in Killeen, Texas. Also in the audience is Mr. John Forenbrock, the Executive Director of NAFIS.

Mr. Chairman, I would respectfully request that the complete text of our testimony be submitted for the record.

Chairman KILDEE. Yes, it will be included in its entirety.

Mr. SMALL. Thank you.

Mr. Chairman, let me begin by quoting in part from the first annual report the Office of Education submitted to Congress in 1951 as it described the purpose on which the law was based. I quote,"With rare exceptions, the local school districts have not had the financial resources to provide the educational facilities necessary to cope with this increased school attendance. Because the influx of the school population was so great, not only were school agencies unable to provide adequate space for the children, but they were unable to meet the operating expenses of the schools. This served as a rationale for both Public Law 81–815, as well as Public Law 81–874."

Mr. Chairman, we begin our discussion of the history of the program with that quote, because although that was the description of what was occurring in school districts impacted by Federal presence in 1951, that description is just as appropriate today as it was then. The only difference, Mr. Chairman, is that subsequent to the time when President Truman first signed this legislation into law, over 42 years ago, Congress saw very similar circumstances occurring in other local educational agencies that were serving the educational needs of children residing on Federal Indian trust land and those residing in federally subsidized low rent housing projects. Again, Congress recognized its responsibility in offsetting the local share of the cost of educating children whose parents, residence, and/or employer disrupted a source of revenue for the school district.

As Congress developed its rationale for the program back in 1951, the members defined the financial impact a Federal presence can have on local agencies, educational agencies in two ways. Number one, there were those school districts whose impact was measured in terms of the value of what was once taxable property, but was now owned by the Federal Government and this section is section 2 in the law. Congress also identified a second group of school districts impacted by a Federal presence. They were those local education agencies who were providing a basic education to the children of individuals employed by the Federal Government or who were in our Nation's military service.

Congress later expanded the eligibility for the program by including Indian trust land and federally subsidized low rent housing projects. Today there are about 2,500 local educational agencies eligible for payments under section 3. They are located throughout the country and this fiscal year are receiving in total approximately $725 million, which is roughly about 40 percent of the total need.

In 1993, because the funding level is less than the $2 billion required to fully fund the program, on average the local taxpayer is picking up about 60 percent of what should be the cost of the Federal Government. Now, when you consider the impact of this, Mr. Chairman, please understand one very important point. We talk so much about the numbers of the federally connected children in the program, roughly 2 million, but what we don't emphasize, and it is something we should talk more about, is that in those 2,700 local education agencies impacted by Federal activity under sections 2 and 3 are enrolled over 24 medical students.

When you talk about the loss of local tax dollars, a dollar that is not paid to the local unit of government to pay for the education of its children, you are talking about taking something away from the basic educational program of all those children. If the Federal Government, as a bona fide taxpayer by every definition of the term "taxpayer" is not paying its share, it doesn't take a doctorate in school finance to figure out that the school system will be the loser.

Mr. Chairman, if not for Impact Aid the Federal Government, as it addresses the issue of elementary and secondary education, is asking the local taxpayer to pay its share of what every other taxpayer in the community is required by local and State law to pay. Exempting the Federal Government from paying taxes is one thing, but to ask the local community to pick up the entire cost of educating a child of one who lives and/or works on nontaxable Federal property is just not right, not legally and certainly not morally.

We come before this subcommittee this morning to ask you to support the reauthorization of the Impact Aid Program. And now I am going to turn it over for a brief moment, to Dr. Patterson, who will speak to a brief history and some issues about his particular school district.

Chairman KILDEE. Dr. Patterson.

Mr. PATTERSON. Thank you, Mr. Chairman, and Mr. Small and I will do a little tag team here if that is okay. We will try to keep it as brief as possible, but we think it will flow better this way.

One of the questions is why has Impact Aid become a program that there appears to be inadequate funding. I think there are two reasons. At one time we were about the only game in town in Federal legislation and in the 1960s with the onset of a lot of programs for education, that brought some competition.

Secondly, certainly the Federal deficit has created problems on appropriations and that has led to questions of Impact Aid funding. I think it is very interesting that Impact Aid funding this year is less than funding in fiscal year 1979. That gives you some clue as to what has happened with Impact Aid funding.

What about Killeen Independent School District? I represent a military district, one of the components in the Impact Aid community. We have around 25,000 students and we are projected to grow to 26,700 students in the 1993–1994 school year. We are impacted by Fort Hood, one of the largest army bases in the free world. About 16,000 of our 25,000 students are impact students. Approximately two-thirds of our students are impact students. About 6,300 of those students live on post housing.

We have a large number of special education students. Many of our troops received transfer to our district because we feel we have a quality special education program, but, of course, the resources needed for those 1,000 special education students certainly provide some challenge.

Fort Hood has over 40,000 military personnel. That is expected to grow, we believe, in the next 12 months to about 44,000 troops. Over half the land in our school district is part of Fort Hood and therefore not subject to taxation. By terms of State standards, we are considered property poor. We are only at 37 percent of the average wealth per pupil in the State of Texas. With the current realignment, over 10,000 additional soldiers will be moving to Fort Hood. Some have already arrived. This is part of the 5th Mechanized from Fort Polk, Louisiana, to Fort Hood. We are expecting between 2,300 and 4,000 students to be impacting our district. This started last year and will conclude in December of this coming year. So between August and December, we expect the last phase in which will be approximately 2,000 students.

Obviously, you need teachers to educate those students and a tremendous impact is the facilities that we will be constructing to house that additional 4,000 students that will be coming in a period of less than two years. Other districts across the country are facing similar challenges. And Congressman Hoagland very well alluded to the Soldiers and Sailors Relief Act. I won't address that any more. He did an excellent job of talking about that. It certainly has an effect.

I am certainly not arguing the merits of the Soldiers and Sailors Relief Act. I feel strongly about military families and their children. We have a great positive feeling about them. And my testimony would not be to make anything that would hurt them. Rather it would be to say it does have an impact on local districts.

At this time our district is spending only about 88 percent of the State average per pupil expenditures. Without Impact Aid, we would be spending even less, like at 75 percent. So even with Impact Aid and with what we have been required to do on finances for buildings, we are still spending at only 88 percent of the State average. Without Impact Aid, obviously a district like Killeen with that many students would have real, real challenges.

In my testimony, I would like to really stress that children are not a burden, and I want to avoid any time saying this is a burden. We welcome those military children. They are wonderful children, they are mobile, they have a lot of things going for them. We have a great relationship with our base commander who provides mentoring and tutoring programs, adopt-a-school. He has brought science from another post. So we have an excellent relationship. We are just saying that the funding required to provide an equal educational opportunity is needing help from the Federal Government. I think if we will keep our focus on children, the school administrators, we sometimes lose our focus. If we keep the focus on children, we believe Impact Aid is a program for children.

Mr. Small represents an entirely different component of our Impact Aid community and, Ivan, if you would share that with them.

Mr. SMALL. Thank you. Let me first of all for the record tell you very quickly about the kind of school district that I come from, which is very typical of schools serving children residing on Indian lands. As you know, Mr. Chairman, and I know that you care very much about the educational needs of Native American children, that more Federal elementary and secondary education money is provided to public school systems serving Native American children from the Impact Aid Program than from the Bureau of Indian Affairs. Impact Aid is extremely important to Native American children, as it is all children residing on Indian trust land.

The Browning school district is one of two school districts located in the heart of the Blackfeet Indian Reservation, which encompasses one and a half million acres, of which only 3,600 are taxable. To give the subcommittee an example of how spread out the district is, many of the children who reside on the reservation and attend our schools must in some cases ride 120 miles round trip. Funding, especially from local sources, has always presented problems to those districts serving children on the Indian reservation. For example, in the Heart Butte school district, the other school district in the Blackfeet reservation, there is but one taxpayer residing on non-Federal taxable property.

In both the Heart Butte and Browning school districts, Impact Aid comprises over 40 percent of the general operating budgets. It is quite obvious, Mr. Chairman, that without Impact Aid, these school districts simply could not survive. To underscore the lack of property wealth, as well as personal wealth, let me quote from a recent newspaper article which appeared in the Billings Gazette.

The four poorest counties in Montana encompass Indian reservations. Glacier County, where Browning is located is 95th—the 95th poorest county in the Nation. The status of the State funding program in Montana as in other States has resulted in even greater fiscal difficulties for school systems because of lack of State funds. In addition, many State funding formulas have been declared unconstitutional by the courts. As a result, legislatures are faced with a difficult task of formulating new school foundation programs.

In Montana, for example, under a new State plan, our district without Impact Aid would be forced to raise taxes an additional $629 million, to raise revenues up to the level allowed under State law. Once again, Mr. Chairman, you can understand the importance of Impact Aid to heavily impacted districts educating children residing on Indian land. Perhaps Impact Aid's most important function to a school district is the stability it provides to a district's budget.

Look at today. Now that we have discussed the program's history and purpose and looked at a little bit of our own districts, let us now look at the program today, its problems and our proposed solutions. For the past several years in meetings that our association had with Majority and Minority staff of this committee, as well as with the Senate authorizing committee staff as early as 1990, four themes were constantly touched on.

Number one, given the current deficit and the budget situation in general, Impact Aid will not receive an appropriations amount that would fully fund the program, which is $2 billion.

Number two, the program is too complex and needs to be simplified. Members just don't understand it.

Number three, in order to ensure continued support, the program must be reformed to reflect the fact that certain districts have a greater need and impact dollars than do others. The need for constant fixes of the program, continued desire by members to seek amendments, must somehow be reduced. As an association, we make it quite clear from the very beginning that we wanted to do our best to work with the House and Senate authorizing committees to address the problems they identify. We wanted to make the program better and that desire continues. It appeared that we were asked to simplify the program and at the same time to better address the issue of need.

The paradox from our point of view rests in the fact that the current complexity of the program is a direct result of a lack of funds to meet the identified need and the efforts of the appropriations committees over the last 15 years to try and direct funds to those school districts most in need. As a result, the simplicity of the program has disappeared. The program is no longer the simple program that it once was.

Let me also mention at this point, Mr. Chairman, that despite the perception of program complexity, from the standpoint of a school district, it is probably the most nonbureaucratic of all Federal programs to administer. In addition, from a Federal standpoint, it is also an extremely easy program to administer. The result of all of this is that Impact Aid may well be the most, shall we say, fat-free program administered by the Department of Education. Virtually every dollar appropriated from the program is spent on the education of children.

The question still remains, however, how can the program be transformed into one, from a congressional standpoint of view, that is less complex, and how can the program, when not fully funded, be better targeted to local education agencies based on need.

Dr. PATTERSON. Mr. Small has presented the challenges of the problems. Let me just mention what we believe the Phoenix proposal contains in the way of some solutions to what he has described as a very complicated program.

Mr. Madden is here to talk about section 2, so I will not try to address that. He will be an expert on that, but the Phoenix proposal does address some revisions in section 2. Section 3 certainly is the heart of the program and we feel the Phoenix proposal does address that. You have heard a lot about A and B students. That has led to some of the complexity.

The NAFIS proposal known as the Phoenix proposal would weight students and such factors as socioeconomic conditions, cultural diversity and preservation, mobility and other special education needs. For instance, Mr. Small's students would be weighted at 1.35 because the community of Impact Aid believes that Mr. Small has some unique students with some special needs. A student whose parents lived in the community but worked on a post, for instance, as opposed to that, would only be weighted at a.25, a low rent housing at a .30, a military at a 1.10. So we do believe the Phoenix proposal does address those students with needs in those ways.

If you funded a program such as this, it would take about $2 billion, as Mr. Small has pointed out, and obviously the program is not fully funded. What, then, do you do? And that is where, again, we believe the proposal simplifies and addresses some things that the staff and Congress has been asking us to do. And I would like to state to the committee that John Forkenbrock, our Executive Director, has done a outstanding job of putting this community together, the Impact Aid community, with a solid proposal that we believe has consensus. And the way we move since it cannot be fully funded is two concepts. One, what is your percent of impaction?

I have shared with you in our district, it is like 66 percent. Mr. Small's district is almost 90 or higher percent. So you look, it does make a difference on the percent of impact. The second thing you look at, and this has been a criticism, is how much of your budget comes from Impact Aid, how dependent are you really on Impact Aid? When you weight those two factors together, add those two factors together, you could determine the funding for a school district. As an example, if a district is to receive $1 million if it were fully funded and they have a 30 percent impact and a 20 percent dependency factor, then you would say 50 percent of $1 million is $500,000.

We think that is a lot simpler. It will mean that some districts will lose money and some districts will gain money and that will be the result of a revised formula. We would like to mention two other things in the proposal. One, it would set up a discretionary fund. We think this is very critical to avoid districts coming to Congress, constantly seeking amendments that a discretionary fund to handle very unusual cataclysmic circumstances would be set up, that the Secretary would review those applications and would make a decision and we would hope would keep the people running to you all with constant amendments.

The second is with State equalization and Congressman Hoagland mentioned earlier we are not sure anyone understands equalization, but it does at least by statute, it would put equalization into the statute and also would penalize the group that we think should be penalized when illegal deductions are made, and that is the States rather than the school district. So we believe that in many areas the NAFIS proposal or the Phoenix proposal does address the areas you have been asking us to address.

On school construction, Public Law 81–815, we would certainly like for that to remain in the legislation. Of course, the way it is now, districts leave those applications in for years. We would say that every three years those applications should be updated before we can really see where our needs are. And then we believe the Department of Defense does have a role. I described to you, for instance, my own district impacted by military. We believe there is a role for the Department of Defense, such as unusual cases with sudden growth like ours with 4,000 students in a period of two years, that Defense would have a role in that.

Perhaps section 3–E, which is the phase out, when posts are phased out, or section 4, which is sudden growth, that that could easily be Defense Department. However, we would like to make one final point. It is not the position of the National Association of Impacted Schools that we would move the military dependent side to the Department of Defense. We feel it is rightly in the Department of Education. We think the two funding levels could be different. For instance, Mr. Small's students that would be funded from one source, whereas the military from another, could lead to some great inequities. Therefore we would like to leave it where it is.

Secondly, we would not think that any kind of transfer to the Department of Defense where they have stated they really did not think they were in the education business would be a good move. Mr. Small will make our concluding comments.

Mr. SMALL. Thank you. Mr. Chairman, this concludes our testimony. However, as President of NAFIS, let me say this final thing. We want to work with your committee. NAFIS acknowledges that although we do not have all the answers, it has made a good faith effort in making some rather major changes to the program. NAFIS thinks that in the spirit of reform it has brought some rather significant reforms to Impact Aid, but NAFIS also recognizes that the process for change can always be improved upon and that new ideas come from many sources.

NAFIS looks to your subcommittee as another source of ideas and wants to work with you to make the Impact Aid program a stronger and more viable program for the future. If you have any questions, we will do our best to answer them. Thank you.

Chairman KILDEE. Thank you very much.

[The prepared statement of Mr. Small follows:]

Mr. Ivan Small, President, National Association
of Federally Impacted Schools,
and Assistant Superintendent, Browning Public Schools,
Browning, Montana

GOOD MORNING MR. CHAIRMAN, MY NAME IS IVAN SMALL, AND I CURRENTLY SERVE AS THE PRESIDENT OF THE NATIONAL ASSOCIATION OF FEDERALLY IMPACTED SCHOOLS (NAFIS). LET ME FIRST OF ALL EXTEND TO YOU MY APPRECIATION FOR ALLOWING NAFIS TO PARTICIPATE IN THE CURRENT HEARINGS YOUR SUBCOMMITTEE IS HOLDING AS YOU PREPARE FOR THE REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT. OUR PURPOSE THIS MORNING IS TO PRESENT TESTIMONY ON BEHALF OF THE REAUTHORIZATION OF THE IMPACT AID PROGRAM.

WITH ME TODAY IS DR. CHARLES PATTERSON. DR. PATTERSON SERVES WITH ME ON THE BOARD OF DIRECTORS OF THE NATIONAL ASSOCIATION AND IS SUPERINTENDENT OF SCHOOLS AT THE KILLEEN INDEPENDENT SCHOOL DISTRICT IN KILLEEN, TEXAS.

WITH YOUR PERMISSION MR. CHAIRMAN, WHAT WE WOULD LIKE TO DO THIS MORNING IS TO TOUCH ON THREE AREAS OF THE IMPACT AID PROGRAM. FIRST OF ALL WE WOULD LIKE TO TALK TO YOU A LITTLE ABOUT THE PURPOSE OF THE PROGRAM. WE THINK IT IS EXTREMELY IMPORTANT THAT THE SUBCOMMITTEE FOCUS ITS ATTENTION ON THE PURPOSE OF THE IMPACT AID PROGRAM AND TO KNOW THE HISTORY AND CONGRESSIONAL INTENT UPON WHICH IT IS BASED. FOLLOWING THAT, BOTH DR. PATTERSON AND I WOULD LIKE TO SHARE WITH THE SUBCOMMITTEE SOME OF OUR EXPERIENCES AS ADMINISTRATORS IN FEDERALLY IMPACTED SCHOOL DISTRICTS. THE BROWNING PUBLIC SCHOOL DISTRICT LOCATED ON THE BLACKFEET INDIAN RESERVATION IN BROWNING, MONTANA IS TYPICAL OF ANY LOCAL EDUCATIONAL AGENCY IN THE COUNTRY THAT SERVES CHILDREN RESIDING ON INDIAN LAND.

USING THE KILLEEN INDEPENDENT SCHOOL DISTRICT AS HIS EXAMPLE, DR. PATTERSON WILL PROVIDE YOU WITH VERY INTERESTING INSIGHTS INTO THOSE SCHOOL SYSTEMS IMPACTED BY A MILITARY PRESENCE. FINALLY, MR. CHAIRMAN, BOTH DR. PATTERSON AND MYSELF, WILL TALK TO YOU ABOUT THE CURRENT IMPACT AID AND SCHOOL CONSTRUCTION PROGRAM. WE WILL IDENTIFY WHAT WE SEE AS ITS CURRENT PROBLEMS AND WILL OFFER YOU SOME SUGGESTED SOLUTIONS TO THOSE PROBLEMS.

MR. CHAIRMAN, LET ME BEGIN WITH A QUOTE FROM THE FIRST ANNUAL REPORT THE OFFICE OF EDUCATION SUBMITTED TO CONGRESS IN 1951 AS IT DESCRIBED THE LEGISLATIVE PURPOSE UPON WHICH THE LAW WAS THEN BASED.

"The many and varied activities of the United States Government, including the efforts to provide armaments for the defense of the country, have involved millions of Americans and have caused the uprooting of their homes. Men in the armed services have been obliged to leave their customary localities to receive training on air fields, at Army posts, and at naval stations. Others have gone to work in plants which are producing goods under contracts with the Federal Government. In many thousands of instances, these men have taken their families to the sites of their work, and this has given rise to the necessity of providing education for their children in the districts to which they have moved. With rare exceptions, the local school districts have not had the financial resources to provide the educational facilities necessary to cope with this increased school attendance. Because the influx of the school population was so great, not only were school agencies unable to provide adequate space for the children, but they were unable to meet the operating expenses of the schools."

MR. CHAIRMAN, WE BEGIN OUR DISCUSSION OF THE HISTORY OF THE PROGRAM WITH THAT QUOTE, BECAUSE ALTHOUGH THAT WAS A DESCRIPTION OF WHAT WAS OCCURRING IN SCHOOL DISTRICTS IMPACTED BY A FEDERAL PRESENCE IN 1951, THAT DESCRIPTION IS JUST AS APPROPRIATE TODAY (1993) AS IT WAS THEN. THE ONLY

DIFFERENCE MR. CHAIRMAN, IS THAT SUBSEQUENT TO THE TIME WHEN PRESIDENT TRUMAN FIRST SIGNED THIS LEGISLATION INTO LAW OVER 42 YEARS AGO, CONGRESS SAW VERY SIMILAR CIRCUMSTANCES OCCURRING IN OTHER LOCAL EDUCATIONAL AGENCIES THAT WERE SERVING THE EDUCATIONAL NEEDS OF CHILDREN RESIDING ON FEDERAL INDIAN TRUST LAND AND THOSE RESIDING IN FEDERALLY SUBSIDIZED LOW-RENT HOUSING PROJECTS. AGAIN, CONGRESS RECOGNIZED ITS RESPONSIBILITY IN OFFSETTING THE LOCAL SHARE OF THE COST OF EDUCATING CHILDREN WHOSE PARENTS' RESIDENCE AND/OR EMPLOYER DISRUPTED THE SOURCE OF REVENUE FOR THE SCHOOL DISTRICT.

AS CONGRESS DEVELOPED ITS RATIONALE FOR THE PROGRAM BACK IN 1951, THE MEMBERS DEFINED THE FINANCIAL IMPACT A FEDERAL PRESENCE CAN HAVE ON LOCAL EDUCATIONAL AGENCIES IN TWO WAYS:

1) THERE WERE THOSE SCHOOL DISTRICTS WHOSE IMPACT WAS MEASURED IN TERMS OF THE VALUE OF WHAT WAS ONCE TAXABLE PROPERTY BUT WAS NOW OWNED BY THE FEDERAL GOVERNMENT. THE LAND MAY HAVE BEEN PURCHASED BY THE FEDERAL GOVERNMENT FOR THE PURPOSES OF CREATING A NATIONAL FOREST OR NATIONAL PARK. IT MIGHT HAVE BEEN AN ARMY CORPS OF ENGINEERS PROJECT OR PERHAPS TO DEVELOP A NEW FEDERAL INSTALLATION OF SOME KIND-- A MUNITIONS TESTING SITE OR A "NEW" MILITARY ACADEMY LIKE THE AIR FORCE ACADEMY IN COLORADO SPRINGS, OR THE EXPANSION OF THOSE ALREADY EXISTING LIKE WEST POINT IN NEW YORK. TODAY, SECTION 2 PROVIDES PAYMENTS TO ABOUT 250 SCHOOL DISTRICTS AS COMPENSATION FOR THE DIRECT LOSS OF WHAT WAS ONCE TAXABLE PROPERTY. IT IS IMPORTANT TO NOTE MR. CHAIRMAN, THAT THESE PAYMENTS HAVE NOTHING AT ALL TO DO WITH THE NUMBER OF FEDERALLY CONNECTED CHILDREN ENROLLED IN THE SCHOOL DISTRICT. IN FACT, IN SOME INSTANCES THERE MAY VERY WELL BE NO FEDERALLY CONNECTED CHILDREN INVOLVED, BUT RATHER ONLY A SIZEABLE LAND BASE WHICH IS NO LONGER A SOURCE OF REVENUE FOR THE SCHOOL DISTRICT. CURRENTLY THIS PROGRAM RECEIVES APPROXIMATELY $16 MILLION DOLLARS, WHICH PROVIDES ONLY ABOUT 65 PERCENT OF THE TOTAL NEED.

2) CONGRESS ALSO IDENTIFIED A SECOND GROUP OF SCHOOL DISTRICTS IMPACTED BY A FEDERAL PRESENCE. THEY WERE THOSE LOCAL EDUCATIONAL AGENCIES WHICH WERE PROVIDING A BASIC EDUCATION TO THE CHILDREN OF INDIVIDUALS EMPLOYED BY THE FEDERAL GOVERNMENT OR WHO WERE IN OUR NATION'S MILITARY SERVICE. AS ALLUDED TO EARLIER IN OUR TESTIMONY, CONGRESS EXPANDED ON THE ELIGIBILITY BY BROADENING THE LAW TO INCLUDE CHILDREN WHO HAD PARENTS RESIDING ON INDIAN TRUST LAND AND TO THOSE WHO RESIDED IN FEDERALLY SUBSIDIZED LOW-RENT HOUSING PROJECTS. THESE ELIGIBILITY FACTORS CAN BE FOUND IN SECTION 3 OF THE LAW. TODAY, THERE ARE ABOUT 2,500 LOCAL EDUCATIONAL AGENCIES ELIGIBLE FOR PAYMENTS UNDER SECTION 3. THEY ARE LOCATED THROUGHOUT THE COUNTRY AND THIS FISCAL YEAR ARE RECEIVING IN TOTAL, APPROXIMATELY $725 MILLION DOLLARS, WHICH IS ROUGHLY 40 PERCENT OF THE TOTAL NEED. IN CONTRAST TO THE SECTION 2 DISTRICTS, THESE DISTRICTS RECEIVE A PAYMENT BASED ON THE NUMBER OF FEDERALLY CONNECTED CHILDREN ENROLLED.

CONGRESS RECOGNIZES THE PAYMENTS UNDER SECTION 3 AS A PAYMENT OR A REIMBURSEMENT TO THE LOCAL EDUCATIONAL AGENCY FOR THE COST OF PROVIDING A BASIC EDUCATION PROGRAM TO ALL ELIGIBLE STUDENTS. WITHOUT THIS FEDERAL PAYMENT, THE LOCAL TAXPAYER, BE IT THOSE PAYING TAXES ON THEIR RESIDENCES OR THOSE PAYING COMMERCIAL BUSINESS TAXES, WOULD BE SUBSIDIZING 100 PERCENT OF THE COST OF PROVIDING AN EDUCATION FOR A CHILD WHOSE PARENT AND/OR EMPLOYER (THE FEDERAL GOVERNMENT) IS NOT PAYING THEIR SHARE OF THE LOCAL TAX LOAD.

IN 1993, BECAUSE THE FUNDING LEVEL IS LESS THAN THE $2 BILLION REQUIRED TO FULLY FUND THE PROGRAM, ON AVERAGE, THE LOCAL TAXPAYER IS PICKING UP ABOUT 60 PERCENT OF WHAT SHOULD BE THE COST OF THE FEDERAL GOVERNMENT. NOW WHEN YOU CONSIDER THE IMPACT OF THIS MR. CHAIRMAN, PLEASE UNDERSTAND ONE VERY IMPORTANT POINT. WE TALK SO MUCH ABOUT THE NUMBERS

OF FEDERALLY CONNECTED CHILDREN IN THE PROGRAM, ROUGHLY 2 MILLION. BUT, WHAT WE DON'T EMPHASIZE AND IT IS SOMETHING WE SHOULD TALK MORE ABOUT, IS THAT IN THOSE 2,700 LOCAL EDUCATIONAL AGENCIES IMPACTED BY A FEDERAL ACTIVITY UNDER SECTIONS 2 AND 3, ARE ENROLLED OVER 24 MILLION STUDENTS. WHEN YOU TALK ABOUT THE LOSS OF A LOCAL TAX DOLLAR, A DOLLAR THAT IS NOT PAID TO THE LOCAL UNIT OF GOVERNMENT TO PAY FOR THE EDUCATION OF ITS CHILDREN, YOU ARE TALKING ABOUT TAKING SOMETHING AWAY FROM THE BASIC EDUCATIONAL PROGRAM OF ALL THOSE CHILDREN. IF THE FEDERAL GOVERNMENT AS A BONA FIDE TAXPAYER BY EVERY DEFINITION OF THE TERM TAXPAYER, IS NOT PAYING ITS SHARE, IT DOESN'T TAKE A DOCTORATE IN SCHOOL FINANCE TO FIGURE OUT THAT THE SCHOOL SYSTEM WILL BE THE LOSER.

MR. CHAIRMAN, IF NOT FOR IMPACT AID, THE FEDERAL GOVERNMENT AS IT ADDRESSES THE ISSUE OF ELEMENTARY AND SECONDARY EDUCATION IS ASKING THE LOCAL TAXPAYER TO PAY ITS SHARE OF WHAT EVERY OTHER TAXPAYER IN THE COMMUNITY IS REQUIRED BY LOCAL AND STATE LAW TO PAY. EXEMPTING THE FEDERAL GOVERNMENT FROM PAYING TAXES IS ONE THING, BUT TO ASK THE LOCAL COMMUNITY TO PICK UP THE ENTIRE COST OF EDUCATING A CHILD OF ONE WHO LIVES AND/OR WORKS ON NON-TAXABLE FEDERAL PROPERTY IS JUST NOT RIGHT. NOT LEGALLY. AND CERTAINLY, NOT MORALLY.

WE COME BEFORE THIS SUBCOMMITTEE THIS MORNING TO ASK YOU TO SUPPORT THE REAUTHORIZATION OF THE IMPACT AID PROGRAM. WE COME ALSO TO ADDRESS SOME OF THE PROBLEMS THE PROGRAM HAS GROWN TO BE IDENTIFIED WITH OVER THE YEARS. THE IRONY THOUGH MR CHAIRMAN, IS THAT THERE WAS A TIME WHEN THIS PROGRAM WAS WITHOUT FLAW.

BEFORE 1968, THE IMPACT AID PROGRAM WAS FULLY FUNDED. THERE WAS LITTLE DIFFICULTY IN INSURING THAT ALL FACETS OF THE IMPACT AID COMMUNITY WERE FULLY SERVED AND THE SCHOOL DISTRICTS EDUCATING FEDERALLY CONNECTED CHILDREN WERE FULLY COMPENSATED FOR THE EDUCATIONAL SERVICES THEY WERE PROVIDING.

SINCE THE EARLY 1970's, THIS HAS NO LONGER BEEN THE CASE. THE FUNDING FOR THE IMPACT AID PROGRAM BEGAN TO FALL SHORT OF THE IDENTIFIED NEED AS DETERMINED BY THE FORMULA CONTAINED IN THE LAW. THE REASONS FOR THE SHORTFALL VARY, BUT TWO COME QUICKLY TO MIND:

1) OTHER EDUCATION PROGRAMS WERE DEVELOPED AS A PART OF "THE GREAT SOCIETY" LEGISLATION OF THE 1960'S THAT WERE SPECIFICALLY DESIGNED TO FOCUS ON CHILDREN WHO HAD AN IDENTIFIED EDUCATIONAL NEED. THIS NEED WAS UNDERSCORED BY THE FACT THAT THERE WAS A LARGE SEGMENT OF THIS COUNTRY'S STUDENT POPULATION WHO WERE POOR AND DID NOT HAVE THE LUXURY OF A LEARNING ENVIRONMENT THAT OTHERS HAD, MAKING IT VERY DIFFICULT TO EQUALLY COMPETE IN SOCIETY. MOST OF THE PROGRAMS CREATED DURING THE 1960'S WERE TARGETED TOWARD ADDRESSING AN IDENTIFIED EDUCATIONAL NEED. IMPACT AID WAS NO LONGER THE ONLY GAME IN TOWN. IT WAS NOW COMPETING WITH OTHER PROGRAMS THAT SEEMED MORE IMPORTANT AND AS TIME WENT ON, APPEARED TO FIT BETTER INTO WHAT WAS CONSIDERED OUR NATIONAL PRIORITIES.

2) THIS CHANGE COUPLED WITH A RISING FEDERAL DEFICIT, CAUSED IMPACT AID TO SEE ITS APPROPRIATIONS LEVEL FALL OFF AND IN THE EARLY 1980'S ACTUALLY DROP BY NEARLY 40 PERCENT IN ONE FISCAL YEAR. AND ALTHOUGH CURRENT FUNDING HAS INCREASED SINCE THE MID-EIGHTIES, THE AMOUNT IS STILL BELOW THE $786 MILLION THE PROGRAM RECEIVED IN FY'79.

IN MANY WAYS THE IMPACT AID PROGRAM HAS BEEN A VICTIM OF ITS OWN SUCCESS. IT DID WHAT IT WAS DESIGNED BY CONGRESS TO DO. HOWEVER, AS TIME HAS GONE BY AND AS NEW PROGRAMS HAVE BEEN CREATED TO ADDRESS VERY REAL NEEDS, THE IMPACT AID PROGRAM, BECAUSE OF ITS NATURE AS A GENERAL FUND PROGRAM, WAS NOT ABLE TO COMPETE FOR ITS SHARE OF ATTENTION FROM THE CONGRESS. MANY MEMBERS OF CONGRESS QUITE FRANKLY, FORGOT

ABOUT THE PROGRAM. AND FOR OTHERS WHO DID NOT HAVE AN INSTITUTIONAL HISTORY OF THE FEDERAL COMMITMENT TO ELEMENTARY AND SECONDARY EDUCATION, THEY NEVER EVEN HEARD OF IT.

LET ME SAY AS A SCHOOL ADMINISTRATOR IN A DISTRICT IMPACTED BY INDIAN LAND, THAT THIS PROGRAM IS AS IMPORTANT TO US AND IN FACT IS MORE IMPORTANT BECAUSE OF ITS GENERAL AID PURPOSE THAN ANY FEDERAL PROGRAM OUR DISTRICT RECEIVES. BEFORE MOVING ON MR. CHAIRMAN, LET ME ASK DR. PATTERSON TO TAKE A FEW MINUTES TO DESCRIBE WHAT IMPACT AID MEANS TO HIS DISTRICT.

THE KILLEEN INDEPENDENT SCHOOL DISTRICT

THE KILLEEN INDEPENDENT SCHOOL DISTRICT SERVES ALMOST 25,000 STUDENTS LIVING IN AND AROUND KILLEEN, TEXAS. THE KILLEEN INDEPENDENT SCHOOL DISTRICT IS HEAVILY IMPACTED BY THE ARMY BASE AT FORT HOOD AND ALMOST 16,000 OF OUR STUDENTS ARE DEPENDENTS OF ACTIVE DUTY MILITARY PERSONNEL OR CIVILIANS WHO WORK ON THE BASE. OVER 6,300 OF THESE STUDENTS LIVE ON THE BASE ITSELF WHILE THE REMAINDER LIVE IN THE SURROUNDING COMMUNITIES SERVED BY OUR DISTRICT. OF THE TOTAL NUMBER OF MILITARY DEPENDENT STUDENTS, OVER 1,000 ARE SPECIAL EDUCATION STUDENTS REQUIRING SPECIAL SERVICES OVER AND ABOVE THAT GIVEN TO MOST OTHER STUDENTS.

FORT HOOD ITSELF IS ONE OF THE LARGEST MILITARY BASES IN THE FREE WORLD WITH ALMOST 40,000 MILITARY PERSONNEL STATIONED AT THE BASE. OVER HALF THE LAND WITHIN THE JURISDICTION OF THE KILLEEN INDEPENDENT SCHOOL DISTRICT IS A PART OF FORT HOOD AND IS THEREFORE NOT SUBJECT TO TAXATION. DUE TO THIS, OUR DISTRICT IS CONSIDERED "PROPERTY POOR" AND HAS ONLY 37% OF THE TEXAS AVERAGE WEALTH PER PUPIL.

AS A RESULT OF THE CURRENT REALIGNMENT GOING ON WITHIN OUR COUNTRY'S MILITARY, OVER 10,000 ADDITIONAL SOLDIERS ARE BEING MOVED TO FORT HOOD. SOME HAVE ALREADY ARRIVED AND THE REMAINDER ARE EXPECTED TO COME BY DECEMBER OF THIS YEAR. THESE SOLDIERS ARE EXPECTED TO BRING OVER 3,200 ADDITIONAL FEDERAL STUDENTS TO KILLEEN. NOT ONLY WILL ADDITIONAL TEACHERS NEED TO BE HIRED TO EDUCATE THESE STUDENTS, BUT ADDITIONAL CLASSROOMS AND SCHOOLS WILL HAVE TO BE BUILT IN ORDER TO PROVIDE EDUCATIONAL FACILITIES FOR THESE CHILDREN. WITHOUT FUNDS FOR THESE NEW TEACHERS AND SCHOOLS, CLASSROOMS WILL BECOME EVEN MORE OVERCROWDED AND ALL OF OUR CHILDREN WILL SUFFER.

MILITARY SCHOOL DISTRICTS ACROSS THE COUNTRY ARE FACING SIMILAR PROBLEMS. DUE TO THE SOLDIERS' AND SAILORS' RELIEF ACT, MILITARY PERSONNEL ARE EXEMPT FROM PAYING STATE INCOME TAXES AND AUTOMOBILE REGISTRATIONS WHEN THEY ARE STATIONED IN A STATE WHICH IS NOT THEIR HOME OF RECORD. IN ADDITION, ALL THE STORES, MOVIE THEATERS, BANKS, AND OTHER BUSINESSES ON MILITARY BASES THEMSELVES ARE EXEMPT FROM PROPERTY AND SALES TAX. FOR EXAMPLE, EVEN A FAST FOOD RESTAURANT ON A MILITARY BASE PAYS NO TAXES. AS A RESULT, MANY STATES AND COMMUNITIES ARE REQUIRED TO EDUCATE THOUSANDS OF ADDITIONAL STUDENTS WITHOUT THE FINANCIAL RESOURCES THAT NORMALLY ACCOMPANY NEW STUDENTS.

DUE TO THE SOLDIERS' AND SAILORS' RELIEF ACT, AND DUE TO THE EXEMPTION OF FACILITIES ON FEDERAL PROPERTY FROM TAXATION, MILITARY SCHOOL DISTRICTS ARE HEAVILY DEPENDENT UPON IMPACT AID.

AT THIS TIME, OUR DISTRICT IS ONLY ABLE TO SPEND AT 88 PERCENT OF THE STATE AVERAGE PER PUPIL EXPENDITURE. WITHOUT IMPACT AID, THAT AMOUNT WOULD DROP TO ONLY 75 PERCENT OF THE STATE AVERAGE. IF IMPACT AID WERE FULLY FUNDED, HOWEVER, THE DISTRICT WOULD BE ABLE TO SPEND AT THE STATE AVERAGE. AS YOU CAN SEE, IMPACT AID IS OF VITAL IMPORTANCE TO MILITARY SCHOOL DISTRICTS. WITHOUT IT, KILLEEN INDEPENDENT SCHOOL DISTRICT WOULD NOT BE ABLE TO PROVIDE NEEDED SERVICES TO THE CHILDREN MY SCHOOLS ARE RESPONSIBLE FOR EDUCATING.

BROWNING PUBLIC SCHOOLS

LET ME NOW FOR THE RECORD TELL YOU VERY QUICKLY ABOUT THE KIND OF SCHOOL DISTRICT I COME FROM WHICH IS VERY TYPICAL OF ANY SCHOOL SERVING CHILDREN RESIDING ON INDIAN LAND. DID YOU KNOW MR. CHAIRMAN, AND I KNOW THAT YOU CARE VERY MUCH ABOUT THE EDUCATIONAL NEEDS OF NATIVE AMERICAN CHILDREN, THAT MORE FEDERAL ELEMENTARY AND SECONDARY EDUCATION MONEY IS PROVIDED TO PUBLIC SCHOOL SYSTEMS SERVING NATIVE AMERICAN CHILDREN FROM THE IMPACT AID PROGRAM THAN FROM THE BUREAU OF INDIAN AFFAIRS?

IMPACT AID IS EXTREMELY IMPORTANT TO NATIVE AMERICAN CHILDREN AS IT IS TO ALL CHILDREN RESIDING ON INDIAN TRUST LAND. THE BROWNING SCHOOL DISTRICT IS ONE OF TWO SCHOOL DISTRICTS LOCATED IN THE HEART OF THE BLACKFEET INDIAN RESERVATION WHICH ENCOMPASSES ONE AND HALF MILLION ACRES, OF WHICH ONLY 360,000 ARE TAXABLE. TO GIVE THE SUBCOMMITTEE AN EXAMPLE OF HOW SPREAD OUT THE DISTRICT IS, MANY OF THE CHILDREN WHO RESIDE ON THE RESERVATION AND ATTEND OUR SCHOOLS MUST IN SOME CASES RIDE 120 MILES ROUNDTRIP.

FUNDING ESPECIALLY FROM LOCAL SOURCES HAS ALWAYS PRESENTED PROBLEMS TO THOSE DISTRICTS SERVING CHILDREN ON ANY INDIAN RESERVATION. FOR EXAMPLE, IN THE HEART BUTTE SCHOOL DISTRICT (THE OTHER DISTRICT WHICH SERVES CHILDREN LIVING ON THE BLACKFEET RESERVATION), THERE IS BUT ONE TAXPAYER RESIDING ON NON-FEDERAL TAXABLE LAND. IN BOTH THE HEART BUTTE AND BROWNING SCHOOL DISTRICTS, IMPACT AID COMPRISES OVER 40% OF THE GENERAL OPERATING BUDGETS. IT IS QUITE OBVIOUS, MR. CHAIRMAN, THAT WITHOUT IMPACT AID THESE SCHOOL DISTRICTS SIMPLY COULD NOT SURVIVE.

TO UNDERSCORE THE LACK OF PROPERTY WEALTH AS WELL AS PERSONAL WEALTH, LET ME QUOTE FROM A RECENT NEWSPAPER ARTICLE WHICH APPEARED IN THE BILLINGS GAZETTE, "THE FOUR POOREST COUNTIES IN MONTANA ENCOMPASS INDIAN RESERVATIONS." GLACIER COUNTY, WHERE BROWNING IS LOCATED, IS THE 95TH POOREST COUNTY IN THE NATION. FOR THE RECORD, MR. CHAIRMAN, THE POOREST COUNTY IN THE NATION IS SHANNON COUNTY, HOME OF THE PINE RIDGE INDIAN RESERVATION, SOUTH DAKOTA.

THE STATUS OF THE STATE FUNDING PROGRAM IN MONTANA, AS IN OTHER STATES, HAS RESULTED IN EVEN GREATER FISCAL DIFFICULTIES FOR SCHOOL SYSTEMS BECAUSE OF THE LACK OF STATE FUNDS. IN ADDITION, MANY STATE FUNDING FORMULAS HAVE BEEN DECLARED UNCONSTITUTIONAL BY THE COURTS. AS A RESULT, LEGISLATURES ARE FACED WITH THE DIFFICULT TASK OF FORMULATING NEW SCHOOL FOUNDATION PROGRAMS. IN MONTANA, FOR EXAMPLE, UNDER A NEW STATE PLAN, OUR DISTRICT WITHOUT IMPACT AID WOULD BE FORCED TO RAISE TAXES AN ADDITIONAL 629 MILLS TO RAISE REVENUES UP TO THE LEVEL ALLOWED UNDER STATE LAW.

ONCE AGAIN, MR. CHAIRMAN, YOU CAN UNDERSTAND THE IMPORTANCE OF IMPACT AID TO HEAVILY IMPACTED DISTRICTS EDUCATING CHILDREN RESIDING ON INDIAN LAND. PERHAPS IMPACT AID'S MOST IMPORTANT FUNCTION TO A SCHOOL DISTRICT IS THE STABILITY IT PROVIDES TO A DISTRICT'S BUDGET.

A LOOK AT THE PROGRAM TODAY -- ITS PROBLEMS

FOR THE PAST SEVERAL YEARS, THE IMPACT AID COMMUNITY HAS BEEN RECEIVING MESSAGES FROM CONGRESS CALLING FOR CHANGES IN THE IMPACT AID PROGRAM. IN MEETINGS THAT OUR ASSOCIATION HAD WITH BOTH MAJORITY AND MINORITY STAFF OF THIS COMMITTEE AS WELL AS WITH SENATE AUTHORIZING COMMITTEE STAFF AS EARLY AS 1990, FOUR THEMES WERE CONSTANTLY TOUCHED ON:

1) GIVEN THE CURRENT DEFICIT AND THE BUDGET SITUATION IN GENERAL, IMPACT AID WILL NOT RECEIVE AN APPROPRIATIONS AMOUNT THAT WOULD FULLY FUND THE PROGRAM ($2 BILLION).

2) THE PROGRAM IS TOO COMPLEX AND NEEDS TO BE SIMPLIFIED. MEMBERS DON'T UNDERSTAND IT.

3) IN ORDER TO INSURE CONTINUED SUPPORT, THE PROGRAM MUST BE REFORMED TO REFLECT THE FACT THAT CERTAIN SCHOOL

DISTRICTS HAVE A GREATER NEED FOR IMPACT AID DOLLARS THAN DO OTHERS; AND

4) THE NEED FOR CONSTANT FIXES TO THE PROGRAM, THE CONTINUED DESIRE BY MEMBERS TO SEEK AMENDMENTS, MUST SOMEHOW BE REDUCED.

AS AN ASSOCIATION WE MADE IT QUITE CLEAR, FROM THE VERY BEGINNING, THAT WE WANTED TO DO OUR BEST TO WORK WITH THE HOUSE AND SENATE AUTHORIZING COMMITTEES TO ADDRESS THE PROBLEMS THEY IDENTIFIED. WE WANTED TO MAKE THE PROGRAM BETTER AND THAT DESIRE CONTINUES.

HOWEVER TO BE HONEST WITH YOU, MR. CHAIRMAN, THERE WAS A KIND OF PARADOX TO THE CHALLENGE, ESPECIALLY AS IT RELATES TO SECTION 3 OF THE LAW. CONGRESS WAS APPEARING TO ASK US TO SIMPLIFY THE PROGRAM AND AT THE SAME TIME THEY WERE ASKING US TO BETTER ADDRESS THE ISSUE OF NEED. THE PARADOX FROM OUR POINT OF VIEW RESTS IN THE FACT THAT THE CURRENT COMPLEXITY OF THE PROGRAM IS A DIRECT RESULT OF:

(1) A LACK OF FUNDS TO MEET THE IDENTIFIED NEED AND,

(2) THE EFFORTS BY THE APPROPRIATIONS COMMITTEES OVER THE LAST 15 YEARS TO TRY AND DIRECT FUNDS TO THOSE SCHOOL DISTRICTS MOST IN NEED.

AS A RESULT, THE SIMPLICITY OF THE PROGRAM HAS DISAPPEARED. AS APPROPRIATIONS SHORTFALLS BECAME MORE AND MORE OF A PROBLEM THE APPROPRIATIONS COMMITTEES CREATED DIFFERENT CATEGORIES OF SCHOOL DISTRICTS. EACH CATEGORY RECEIVED A DIFFERENT LEVEL OF PAYMENT FOR THE SAME TYPE OF STUDENT (SUPER, SUB-SUPER, ETC). CURRENTLY THERE ARE NOW FIVE BASIC CATEGORIES OF SCHOOL DISTRICTS, AND EACH IS PAID AT A DIFFERENT PERCENTAGE OF NEED. IN BRIEF, DUE TO THIS LACK OF FUNDING, THE PAYMENT SCHEDULE TO SCHOOL DISTRICTS HAS BEEN ADJUSTED TO ACCOUNT FOR "NEED" (BASED ONLY ON THE DEGREE OF IMPACTION), AND THE PROGRAM HAS BECOME MORE COMPLICATED.

TO COMPOUND THE PROBLEM, CERTAIN DISTRICTS IN AN ATTEMPT TO SECURE ADDITIONAL FUNDING BECAUSE THEIR NEED WAS THOUGHT TO BE GREATER THAN OTHER DISTRICTS, WOULD CONTACT THEIR MEMBER OF CONGRESS FOR HELP. THE RESULT HAS BEEN THE EVOLUTION OF A PROGRAM THAT WHEN LOOKED AT TODAY, BECOMES VERY DIFFICULT FOR EVEN LEGISLATIVE COUNSEL TO UNDERSTAND. JUST LOOK AT THE NUMBER OF AMENDMENTS OR DISCUSSIONS YOUR OWN STAFF HAS PROBABLY HAD JUST OVER THE PAST FOUR OR FIVE YEARS WITH STAFF FROM OTHER OFFICES CONCERNING PAROCHIAL AMENDMENTS TO THE PROGRAM. WE ARE NOT SAYING THIS IS ALWAYS NECESSARILY WRONG BECAUSE MANY ARE FOR VERY LEGITIMATE REASONS. THE PROBLEM, MR CHAIRMAN, IS THAT BECAUSE OF THE COMPLEXITY AND THE VARIOUS CATEGORIES CREATED, THE PROGRAM IS NO LONGER THE SIMPLE PROGRAM IT ONCE WAS. LET ME ALSO MENTION AT THIS POINT MR. CHAIRMAN, THAT DESPITE THIS PERCEPTION OF PROGRAM COMPLEXITY, FROM THE STANDPOINT OF A SCHOOL DISTRICT IT IS PROBABLY THE MOST NONBUREAUCRATIC OF ALL FEDERAL PROGRAMS TO ADMINISTER. IN ADDITION, FROM A FEDERAL STANDPOINT, IT IS ALSO AN EXTREMELY EASY PROGRAM TO ADMINISTER. THE RESULT OF ALL THIS IS THAT IMPACT AID MAY WELL BE THE MOST, SHALL WE SAY, "FAT-FREE" PROGRAM ADMINISTERED BY THE DEPARTMENT OF EDUCATION. VIRTUALLY EVERY DOLLAR APPROPRIATED FOR THE PROGRAM IS SPENT ON THE EDUCATION OF CHILDREN.

THE QUESTION STILL REMAINS HOWEVER, HOW CAN THE PROGRAM BE TRANSFORMED INTO ONE WHICH FROM A CONGRESSIONAL POINT OF VIEW IS LESS COMPLEX AND HOW CAN THE PROGRAM WHEN NOT FULLY FUNDED, BE BETTER TARGETED TO LOCAL EDUCATIONAL AGENCIES BASED ON NEED?

PROPOSED SOLUTIONS

SECTION 2

LIKE THE OTHER PORTIONS OF THE IMPACT AID PROGRAM, SECTION 2 IS NOT WITHOUT ITS PROBLEMS. OVER THE PAST SEVEN YEARS MANY SECTION 2 DISTRICTS HAVE ENCOUNTERED DEPARTMENT OF EDUCATION FIELD REVIEWS WHICH IN SOME INSTANCES QUESTION

A DISTRICT'S SECTION 2 ELIGIBILITY. IN THESE CASES, A DISTRICT MAY HAVE TO DO AN HISTORICAL REVIEW OF THE LAND PURCHASED BY THE FEDERAL GOVERNMENT TO DETERMINE ITS ASSESSED WEALTH AT THE TIME OF PURCHASE AND TO THEN CALCULATE ITS ASSESSED VALUE TODAY. THIS IS NO EASY TASK. IT MEANS WORKING WITH COUNTY RECORDS, TAX ASSESSORS AND ATTORNEYS. IT MAY REQUIRE A SIZEABLE CASH OUTLAY BY THE SCHOOL DISTRICT JUST TO VERIFY ITS ELIGIBILITY IN THE PROGRAM.

THE DEPARTMENT OF EDUCATION HAS RECOGNIZED MANY OF THESE PROBLEMS AND SHOULD BE GIVEN SOME CREDIT IN TRYING TO EASE THE ADMINISTRATIVE BURDEN PLACED ON DISTRICTS IN ITS ATTEMPT TO VERIFY SECTION 2 ELIGIBILITY.

THE CURRENT LAW REQUIRES THE DEPARTMENT OF EDUCATION, IN DETERMINING PAYMENTS FOR FEDERAL PROPERTY, TO FIND THAT THE FEDERAL ACQUISITION OF REAL PROPERTY HAS "PLACED A SUBSTANTIAL AND CONTINUING FINANCIAL BURDEN" ON THE SCHOOL DISTRICT. IN ORDER TO GIVE MEANING TO THIS STATUTORY LANGUAGE, THE DEPARTMENT HAS HAD TO IMPLEMENT A COMPLEX METHOD FOR DETERMINING A "NEED-BASED" ENTITLEMENT USING DATA ON CURRENT REVENUE, EXPENDITURES, AND DEGREE OF RELIANCE ON LOCAL PROPERTY TAX REVENUE. THIS NEED-BASED ENTITLEMENT MUST THEN BE COMPARED TO THE MAXIMUM ENTITLEMENT, WHICH IS COMPUTED SEPARATELY, USING ONLY THE DISTRICT'S ACTUAL TAX RATE AND AN ESTIMATED ASSESSED VALUE FOR THE FEDERAL PROPERTY. THE LESSER OF THE TWO ENTITLEMENTS IS THEN PRORATED TO THE ACTUAL PAYMENT. HOWEVER, BECAUSE THE FISCAL DATA NEEDED TO COMPUTE THE NEED-BASED ENTITLEMENT DOES NOT BECOME AVAILABLE UNTIL AFTER THE FISCAL YEAR FOR WHICH THE PAYMENTS ARE MADE, SECTION 2 PAYMENTS ARE DELAYED FOR MONTHS. IN ACTUALITY THIS PROCESS HAS LITTLE EFFECT ON THE ACTUAL AMOUNT OF FINAL PAYMENTS; IN 1988, THE APPLICATION OF NEED-BASED ENTITLEMENT CALCULATIONS REDUCED TOTAL SECTION 2 ENTITLEMENTS BY ONLY ABOUT $2 MILLION FROM AN INITIAL CALCULATION OF APPROXIMATELY $22 MILLION.

NAFIS PROPOSES AN AMENDMENT TO THE CURRENT STATUTE WHICH WOULD ELIMINATE THE PROVISION OF SECTION 2 THAT REFERS TO "SUBSTANTIAL AND CONTINUING BURDEN" SO THAT PAYMENTS CAN BE COMPUTED BASED ON THE MAXIMUM ENTITLEMENT FOR THE PRECEDING FISCAL YEAR ALONE. THIS CHANGE WILL SPEED UP THE PAYMENT PROCESS CONSIDERABLY SO THAT SECTION 2 PAYMENTS COULD BE MADE IN THE FISCAL YEAR FOR WHICH THEY ARE INTENDED.

NAFIS ALSO PROPOSES A CHANGE IN CURRENT LAW WHICH ALLOWS THE DEPARTMENT TO CANCEL A SECTION 2 PAYMENT IF OTHER INCOME FROM THE FEDERAL PROPERTY EQUALS OR EXCEEDS THE SECTION 2 PAYMENT, HOWEVER THE DEPARTMENT CANNOT REDUCE PAYMENTS BY ANY LESSER AMOUNT OF INCOME. FOR EXAMPLE, IF THE SECTION 2 PAYMENT WOULD BE $10,000 BUT THE SCHOOL DISTRICT RECEIVES INCOME OF $10,000 OR MORE RELATED TO THAT SECTION 2 PROPERTY, THE DEPARTMENT WOULD MAKE NO SECTION 2 PAYMENT. HOWEVER, IF THE INCOME RELATED TO THAT SECTION 2 PAYMENT IS $9,999 OR LESS, THE DEPARTMENT WOULD MAKE THE FULL SECTION 2 PAYMENT. WE WOULD PROPOSE THAT A SECTION 2 ENTITLEMENT SHOULD BE REDUCED BY THE AMOUNT OF ANY INCOME GOING TO A SCHOOL DISTRICT FROM OTHER REVENUES RECEIVED FROM THE ELIGIBLE PROPERTY. ACCORDING TO CONVERSATIONS NAFIS HAS HAD WITH THE DEPARTMENT OF EDUCATION, THIS CHANGE WOULD SAVE APPROXIMATELY $2.4 MILLION WHICH MORE THAN COMPENSATES FOR THE ELIMINATION OF THE NEEDS ANALYSIS PREVIOUSLY DISCUSSED.

ANOTHER CHANGE NAFIS SUGGESTS IS THAT SECTION 2 DISTRICTS BE PROVIDED A PERCENTAGE OF THE OVERALL APPROPRIATIONS VERSUS HOW THEY ARE SUPPOSED TO BE FUNDED UNDER CURRENT LAW, THAT IS, OFF-THE-TOP WHEN THE PROGRAM IS NOT FULLY FUNDED. THE REASON FOR THIS CHANGE IS THAT DESPITE THE LANGUAGE CONTAINED IN THE STATUTE, SECTION 2 IS NEVER FUNDED OFF-THE-TOP BUT RATHER PROVIDED A LINE ITEM. THE 2.5 PERCENT RESERVED AS NAFIS SUGGESTS WOULD PROVIDE

SECTION 2 WITH APPROXIMATELY $18 MILLION UNDER THE CURRENT FUNDING LEVEL.

SECTION 3

THIS OBVIOUSLY MR. CHAIRMAN IS WHERE MOST OF THE REFORM NEEDS TO TAKE PLACE, AT LEAST AS NAFIS HAS HEARD FROM STAFF. I THINK ALL OF US WOULD ACCEPT THE FACT THAT AN ELIGIBLE LOCAL EDUCATIONAL AGENCY MUST FIND SOME WAY TO COUNT ITS FEDERALLY-CONNECTED CHILDREN. UNDER CURRENT LAW WE HAVE TWO TYPES OF FEDERAL CHILDREN -- A'S AND B'S. "A" CHILDREN ARE THOSE WHOSE PARENTS LIVE AND WORK ON FEDERAL PROPERTY OR WHO RESIDE ON INDIAN TRUST LAND OR WHO ARE IN THE UNIFORMED SERVICE AND LIVE ON FEDERAL PROPERTY. "B" CHILDREN ARE THOSE WHOSE PARENTS LIVE OR WORK ON FEDERAL PROPERTY OR WHO ARE IN THE UNIFORMED SERVICE AND LIVE OFF FEDERAL PROPERTY.

THE WHOLE IDEA OF "A" AND "B" STUDENTS HAS CAUSED MUCH OF THE COMPLEXITY PROBLEMS NAFIS HEARS SO MUCH ABOUT. THE APPROPRIATIONS SUBCOMMITTEE IN LOOKING FOR WAYS TO COMPUTE NEED BASED ON THE PERCENTAGE OF IMPACTION, DEVELOPED THREE CATEGORIES OF "A" STUDENTS AND TWO CATEGORIES OF "B" STUDENTS. DESPITE THE FACT THAT A "B" STUDENT IS STATUTORIALLY WORTH 25 PERCENT OF AN "A" STUDENT THIS IN FACT IS NOT THE CASE. REGULAR "B"'S ARE WORTH MUCH LESS THAN WHEN COMPARED TO A REGULAR "A" FOR EXAMPLE. I COULD GO ON.

NAFIS PROPOSES THE PLAN WHICH COMPLETELY RIDS THE PROGRAM OF THE TERMS "A" AND "B", AS IT IDENTIFIES STUDENTS. IN ITS PLACE WE HAVE ADOPTED WHAT MOST STATES USE IN THE DEVELOPMENT OF THEIR STATE AID PROGRAMS. THE NAFIS PROPOSAL WOULD WEIGHT THE STUDENTS, DEPENDING ON SUCH FACTORS AS SOCIO-ECONOMIC CONDITIONS, CULTURAL DIVERSITY AND PRESERVATION, AND SPECIAL EDUCATIONAL NEEDS. FOR EXAMPLE, A STUDENT RESIDING ON INDIAN TRUST LAND WOULD BE WEIGHTED AT 1.35 WHILE A STUDENT WHOSE PARENT WORKS FOR THE FEDERAL GOVERNMENT BUT WHO LIVES IN THE COMMUNITY WOULD BE WEIGHTED AT ONLY A .25. A CHILD WHOSE PARENT IS IN THE MILITARY AND WHO RESIDES ON BASE WOULD BE WEIGHTED AT 1.10, WHILE THE SAME STUDENT IF HE OR SHE LIVED WITH HIS PARENT IN THE COMMUNITY WOULD BE WEIGHTED AT ONLY A .30. A CHILD RESIDING IN A LOW-RENT HOUSING PROJECT WOULD ALSO BE WEIGHTED AT A .30.

THIS CONCEPT TRULY ATTEMPTS TO WEIGHT A FEDERALLY-CONNECTED CHILD BASED ON THE FINANCIAL IMPACT THAT THAT CHILD PLACES ON THE LOCAL EDUCATIONAL AGENCY. IT CERTAINLY SIMPLIFIES THE PROGRAM, AS A LOCAL EDUCATIONAL AGENCY'S PAYMENT IS DETERMINED BY ADDING UP ITS FEDERALLY CONNECTED WEIGHTED STUDENT UNITS AND MULTIPLYING THAT NUMBER BY ITS LOCAL CONTRIBUTION RATE, WHICH NAFIS PROPOSES BE LEFT AS UNDER CURRENT LAW. NAFIS ALSO PROPOSES THAT THE STUDENT DATA BE BASED ON A LOCAL EDUCATIONAL AGENCY'S PRIOR YEAR COUNT. THIS WOULD ALLOW THE DEPARTMENT OF EDUCATION TO EXPEDITE PAYMENTS SINCE IT WOULD KNOW THE TOTAL NUMBER OF FEDERALLY CONNECTED STUDENT UNITS FROM THE APPLICATION SUBMITTED FOR THE PREVIOUS SCHOOL YEAR.

HOW MUCH WOULD THIS COST? APPROXIMATELY $2.1 BILLION, WHICH ISN'T MUCH DIFFERENT THAN UNDER CURRENT LAW. THE NEXT QUESTION THEN IS - HOW WOULD PAYMENTS BE DETERMINED WHEN THE PROGRAM IS NOT FULLY FUNDED? IS THE CONCEPT OF SUPER SCHOOL DISTRICTS AND SUBSUPER AND SO ON AND SO ON CONTINUED?

THE ANSWER IS NO. IN TALKING WITH COMMITTEE STAFF OVER THE PAST THREE YEARS, NAFIS DETERMINED THAT YES, THE PERCENTAGE OF THE FEDERALLY CONNECTED STUDENTS DOES STILL HAVE AN IMPACT BUT SO DOES NEED. HOW IS A FORMULA DESIGNED WHICH SAYS THAT PAYMENTS SHOULD BE DETERMINED TO SOME EXTENT ON THE NEED FOR IMPACT AID AND HOW WILL THOSE DOLLARS BE ALLOCATED?

ANSWER: LET'S LOOK AT THE PERCENTAGE THAT IMPACT AID MAKES UP OF THE TOTAL OPERATING BUDGET OF THE LOCAL

BEST COPY AVAILABLE

EDUCATIONAL AGENCY. THE HIGHER THE PERCENTAGE, OBVIOUSLY THE HIGHER THE NEED.

TAKING THOSE TWO FACTORS, THE PERCENTAGE OF FEDERALLY CONNECTED STUDENTS AND THE PERCENTAGE THAT IMPACT AID IS OF A LOCAL EDUCATIONAL AGENCY'S TOTAL OPERATING BUDGET, A FORMULA WAS DESIGNED THAT ADDS THOSE TWO PERCENTAGES AND MULTIPLIES IT BY WHAT THE LOCAL EDUCATIONAL AGENCY'S ORIGINAL COMPUTED PAYMENT WAS TO BE IF FULLY FUNDED. FOR EXAMPLE, IF A LOCAL EDUCATIONAL AGENCY IS TO RECEIVE $1 MILLION IF FULLY FUNDED AND IS 30 PERCENT IMPACTED AND HAS A 20 PERCENT DEPENDENCY FACTOR, ITS PAYMENT WOULD BE 50 PERCENT OF $1 MILLION, OR $500,000.

BASED ON NAFIS CALCULATIONS, $900 MILLION WOULD BE NEEDED TO FULLY FUND EVERY LOCAL EDUCATIONAL AGENCY'S LEARNING OPPORTUNITY THRESHOLD, A CONCEPT CONTAINED IN THE NAFIS PROPOSAL. ANY SHORTFALL BASED ON WHAT IS ACTUALLY PROVIDED THROUGH APPROPRIATIONS WOULD THEN BE PRO-RATED. OUR ANALYSIS SHOWS THAT LOCAL EDUCATIONAL AGENCIES THAT ARE HIGHLY IMPACTED AND HAVE A HIGH DEPENDENCY ON THE MONEY AS DETERMINED BY IMPACT AID IN PROPORTION TO OPERATING BUDGET, RECEIVE A GREATER LEVEL OF FUNDING THAN UNDER CURRENT LAW.

THIS FORMULA APPROACH IS QUITE SIMPLE TO ADMINISTER AND IS QUITE FRANKLY EASY TO UNDERSTAND. IT WILL MEAN OF COURSE THAT SOME DISTRICTS WILL GAIN WHILE OTHERS WILL LOSE. TO HELP OFFSET THIS LOSS, WE PROPOSE THAT THE FORMULA BE PHASED IN OVER A THREE YEAR PERIOD.

MR CHAIRMAN, NAFIS THINKS THIS APPROACH MAKES SENSE. THE ASSOCIATION RECOGNIZES IT IS A BEGINNING AND ALSO UNDERSTANDS THAT SOME NEED FOR MODIFICATION MAY BE REQUIRED. HOWEVER, WE, AS NAFIS REPRESENTATIVES, THINK THIS PROPOSAL MAKES SENSE PARTICULARLY SINCE IT LOOKS AT THE PROBLEMS THE PROGRAM SEEMED TO BE SADDLED WITH AND ANALYZES THE DISCUSSIONS NAFIS HAD WITH AUTHORIZING COMMITTEE STAFF.

TWO FINAL ITEMS NEED TO BE MENTIONED AT THIS POINT. FIRST OF ALL NAFIS PROPOSES THAT THE STATUTE CONTAIN A DISCRETIONARY FUND AVAILABLE TO THE SECRETARY. THIS FUND WOULD BE USED FOR THOSE LOCAL EDUCATIONAL AGENCIES WHICH BECAUSE OF UNIQUE CIRCUMSTANCES NEED ADDITIONAL FUNDING. A DISTRICT MUST APPLY TO THE SECRETARY WHO MUST REVIEW THE APPLICATION AND HAND DOWN A DECISION WITHIN 60 DAYS. NAFIS THINKS THIS APPROACH IS RESPONSIBLE AND WILL HOPEFULLY TAKE SOME OF THE POLITICS OUT OF THE PROGRAM. IF A CONSTITUENT SCHOOL DISTRICT ASKS A MEMBER FOR ASSISTANCE, THE DISCRETIONARY FUND WILL OFFER A SAFETY RELEASE FOR BOTH THE MEMBER AND THE SCHOOL DISTRICT. "HAVE YOU APPLIED FOR FUNDING FROM THE SECRETARY'S DISCRETIONARY ACCOUNT"? ANY ACTIONS BOTH POSITIVE AND NEGATIVE TAKEN BY THE SECRETARY MUST BE REPORTED TO BOTH THE AUTHORIZING AND APPROPRIATIONS COMMITTEES. MR. CHAIRMAN, NAFIS HOPES THIS IS VIEWED BY THE SUBCOMMITTEE AS A RESPONSIBLE PROPOSAL AND THAT YOU UNDERSTAND THE SPIRIT IN WHICH IT IS OFFERED.

THE OTHER ITEM WE WOULD LIKE TO PROPOSE IS ON SECTION 5(D) OF THE CURRENT LAW, "STATE EQUALIZATION." UNDER CURRENT LAW, A STATE MAY DEDUCT STATE PAYMENTS TO A SCHOOL DISTRICT RECEIVING IMPACT AID IF THE STATE IS CONSIDERED BY THE SECRETARY OF EDUCATION TO HAVE IN EFFECT AN EQUALIZED FUNDING FORMULA. IF A STATE ILLEGALLY MAKES DEDUCTIONS OF STATE AID FROM A SCHOOL DISTRICT RECEIVING IMPACT AID, THE SECRETARY MAY WITHHOLD IMPACT AID FROM THE ENTIRE STATE.

THERE ARE TWO PROBLEMS WITH THE CURRENT STATUTE:

1) FIRST OF ALL THE STATUTE DOES NOT DEFINE EQUALIZATION. IT ALLOWS THE DEPARTMENT OF EDUCATION TO DETERMINE THIS DEFINITION BY REGULATION, AND

2) THE PENALTY FOR A STATE THAT ILLEGALLY MAKES A DEDUCTION IS UNFAIR BECAUSE IT PENALIZES THE WRONG PARTY -- THE IMPACT AID SCHOOLS.

THE NAFIS PROPOSAL STIPULATES THAT THE DEFINITION OF EQUALIZATION BE CLEARLY PUT INTO THE STATUTE THEREBY TAKING THE ISSUE OUT OF THE REGULATORY PROCESS WHICH HAS PROVEN NOT

TO WORK. SECONDLY, NAFIS PROPOSES THAT IF A STATE ILLEGALLY DEDUCTS STATE FUNDING FROM AN IMPACTED SCHOOL DISTRICT THAT THE PENALTY BE PUT ON THE PARTY THAT IS GUILTY -- THE STATE. UNDER THE NAFIS PROPOSAL, A STATE WOULD LOSE ALL ITS ADMINISTRATIVE FUNDS FOR ALL FEDERAL ELEMENTARY AND SECONDARY EDUCATION PROGRAMS WHICH THE STATE ADMINISTERS. IN THE EVENT THAT THIS SHOULD OCCUR, THE DEPARTMENT OF EDUCATION WOULD MAKE WHATEVER ARRANGEMENTS THAT ARE NECESSARY TO INSURE THAT THE PROGRAM MONIES FOR ALL FEDERAL ELEMENTARY AND SECONDARY EDUCATION PROGRAMS WOULD CONTINUE TO FLOW TO THE ELIGIBLE LOCAL EDUCATIONAL AGENCIES.

THE NAFIS PROPOSAL ALSO CREATES AN INDEPENDENT SCHOOL FINANCIAL ADVISORY BOARD WHICH WOULD PROVIDE ASSISTANCE TO THE SECRETARY IN DETERMINING WHETHER OR NOT A STATE FUNDING FORMULA MEETS THE ELIGIBILITY CRITERIA IN THE STATUTE.

SCHOOL CONSTRUCTION

FINALLY MR. CHAIRMAN, NAFIS PROPOSES THE CONTINUATION OF P.L. 81-815. THE ASSOCIATION THINKS THAT THERE ARE SOME WAYS IN WHICH THE PROGRAM CAN BE IMPROVED INCLUDING THE CALL FOR APPLICATIONS EVERY THREE YEARS FROM THOSE LOCAL EDUCATIONAL AGENCIES REQUESTING FUNDING. UNDER CURRENT LAW, ONCE A SCHOOL DISTRICT APPLIES FOR SCHOOL CONSTRUCTION FUNDS, IT REMAINS ON THE SCHOOL CONSTRUCTION LIST INDEFINITELY. THE DEPARTMENT OF EDUCATION HAS NO WAY OF KNOWING HOW CURRENT THE FUNDING NEEDS ACTUALLY ARE.

WE ALSO REALIZE THAT THE FUNDING FOR SCHOOL CONSTRUCTION AND THE NEED WILL PROBABLY NEVER, AT LEAST IN THE FORESEEABLE FUTURE, BE ONE AND THE SAME. WE THINK THAT SOME CHANGES IN THE LAW SHOULD BE MADE WHICH PLACES SOME CONSTRUCTION RESPONSIBILITY ON THE DEPARTMENT OF DEFENSE, ESPECIALLY IN THOSE CIRCUMSTANCES WHERE BECAUSE OF BASE REALIGNMENT, SCHOOL DISTRICTS FACE INCREASED NUMBERS OF FEDERALLY-CONNECTED CHILDREN BUT HAVE NO PLACE TO HOUSE THEM. LET'S FACE IT MR. CHAIRMAN, IT IS THE ACTIONS OF THE PENTAGON WHICH HAVE CAUSED THESE STUDENTS TO BE PLACED IN A SCHOOL SYSTEM. IT SEEMS ONLY EQUITABLE THAT THE DEPARTMENT OF DEFENSE BEAR SOME OF THE RESPONSIBILITY OF INSURING THAT THESE STUDENTS ARE PROVIDED ADEQUATE FACILITIES.

BEFORE CLOSING, LET US ALSO MENTION THAT IN REGARDS TO THE DEPARTMENT OF DEFENSE, NAFIS SEES A PLACE FOR ITS INVOLVEMENT WITH PROGRAM FUNDS IN THOSE INSTANCES WHERE AGAIN, A LOCAL EDUCATIONAL AGENCY HAS SEEN A SIGNIFICANT INCREASE OR DECREASE IN ITS ENROLLMENT BECAUSE OF DEFENSE DEPARTMENT ACTIONS. PERHAPS THE RESPONSIBILITY OF FUNDING SECTION 3(e) AND SECTION 4 OF THE CURRENT STATUTE SHOULD BE PLACED WITHIN THE DEFENSE DEPARTMENT.

LET US MAKE ONE FINAL POINT HERE MR. CHAIRMAN, AND THAT IS - THE NATIONAL ASSOCIATION OF FEDERALLY IMPACTED SCHOOLS OPPOSES THE IDEA OF MOVING THE MILITARY DEPENDENT SIDE OF THE PROGRAM TO THE DEPARTMENT OF DEFENSE. THIS WOULD PROVE DETRIMENTAL TO THE PROGRAM IN TWO WAYS. FIRST OF ALL, IT COULD CREATE TWO DIFFERENT LEVELS OF FUNDING FOR FEDERALLY CONNECTED CHILDREN. FOR EXAMPLE, CHILDREN RESIDING ON INDIAN TRUST LAND MAY BE CONSIDERED WORTH MORE OR PERHAPS LESS THAN CHILDREN ASSOCIATED WITH A MILITARY ACTIVITY IF THE FUNDS FOR THE PROGRAM CAME FROM TWO DIFFERENT FUNDING SOURCES. SECONDLY, THE DEFENSE DEPARTMENT IS NOT IN THE BUSINESS OF EDUCATION. IT HAS CONSISTENTLY TOLD CONGRESS THAT IT DOES NOT WANT THE PROGRAM, AND AS A COMMUNITY OF IMPACT AID SCHOOLS, NAFIS DOES NOT ADVOCATE FOR ANY KIND OF TRANSFER OTHER THAN WHAT HAS BEEN DESCRIBED PREVIOUSLY.

MR. CHAIRMAN, THIS CONCLUDES OUR TESTIMONY. HOWEVER LET US JUST SAY THIS FINAL THING - WE WANT TO WORK WITH YOUR SUBCOMMITTEE. NAFIS ACKNOWLEDGES THAT ALTHOUGH IT DOES NOT HAVE ALL THE ANSWERS IT HAS MADE A GOOD FAITH EFFORT AT MAKING SOME RATHER MAJOR CHANGES TO THE PROGRAM. NAFIS

THINKS THAT -- IN THE SPIRT OF REFORM -- IT HAS BROUGHT SOME RATHER SIGNIFICANT REFORMS TO IMPACT AID. BUT, NAFIS ALSO RECOGNIZES THAT THE PROCESS FOR CHANGE CAN ALWAYS BE IMPROVED UPON AND THAT NEW IDEAS COME FROM MANY SOURCES. NAFIS LOOKS TO YOUR SUBCOMMITTEE AS ANOTHER SOURCE OF IDEAS AND WANTS TO WORK WITH YOU TO MAKE THE IMPACT AID PROGRAM A STRONGER AND MORE VIABLE PROGRAM FOR THE FUTURE.

THANK YOU.

Chairman KILDEE. Dr. Simpson.

Mr. SIMPSON. Thank you, Mr. Chairman. Thank you, Chairman Kildee, Mr. Goodling, ladies and gentlemen. Thank you for the opportunity to share with you this morning a real live example of how urgent it is to support the reauthorization and fully support Impact Aid. I represent a district in Illinois that is 30 miles north of the City of Chicago, and that is the North Chicago School District Number 187.

I would like to tell you a little bit about the district, the makeup of the youngsters, and bring this right down home as to what the problem is. North Chicago has approximately 4,500 students, a minority population of 71 percent. Forty-nine percent of those youngsters are economically disadvantaged. Over half of them move every year. Just about half of them are federally impacted. And as I heard at the end of the table there, we have a large number of youngsters with individualized education plans. They are special education youngsters. We have 15 percent of our student population with IEPs and 60 percent of those youngsters are federally connected.

Impact Aid payments to North Chicago community unit school district are authorized under the auspices of Public Law 81-874. The largest Federal properties within the unit district 187 are Great Lakes Naval Training Center and the Veterans Administration Hospital Complex. A sizable Federal housing project, the Miriam Jones complex, is also located within the district's boundaries. With these Federal properties included, over half of the territory located in the district is exempt from being taxed for support of the public school system. The district recognizes the Impact Aid entitlement levels established via Public Law 81-874 as being equitable, and we believe that they were established as a reasonable means of supplementing potential property tax revenues rendered unavailable because of the large geographical area taken up by Federal facilities.

The district also notes, however, that appropriations to fund Impact Aid have seriously eroded over the past two decades. Over the past seven years, we have lost more than $8.5 million in entitlement. Current appropriations now fall short of entitlement levels by nearly one-third. With our local military complex absorbing half of the district's geographic area and contributing nearly half the student population of the district, such continuous and severe cuts in appropriations sharply reduce North Chicago's educational resources. In fact, North Chicago schools have lost literally millions of dollars over the years because of Impact Aid underpayments.

In our attempts to survive our financial shortfall, the district has undertaken painful cuts and expenditures. Transportation has been denied to a large portion of our students. Special education has been reclaimed from our very fine special education cooperative, SEDOL. Salary increases for all administrators have been canceled. Classified staff have taken a 5 percent cut in pay along with reduced benefits. Cuts made in the number of certified staff have ballooned average class sizes to 40 in some high school classes. And one of the district's school buildings has been completely shut down and two others have been consolidated under one administrator, all to save money. Many elective courses have been eliminated.

On the secondary level, the core curriculum has been preserved, but only by eliminating the entire home economics and practical arts departments, viable programs for many of the youngsters that we have in North Chicago. All of these sacrifices affect military children as well as those from the civilian community.

Some of the demographic and economic factors that exacerbate our financial woes are that our home county, which is Lake County, has the highest cost of living for any county in the State. We are surrounded by wealth. This year North Chicago's tax rate for education has become the highest in Lake County for private citizens, and the third highest in the State of Illinois. North Chicago ranks last of all of Lake County unit school districts in EAV, equalized assessed valuation, per pupil at $22,900. It is a case of having the highest taxes visited upon the poorest community.

North Chicago, with a population of 135,000, has an assessed valuation of only $100 million. Out of the 954 Illinois school districts, our school district is one of only 16 that are crippled enough financially to have been certified by the State Board of Education as being in severe financial difficulty. District 187 ranks in the lowest 2 percent of all districts in our State in regard to financial health.

District 187 has had to borrow over $1 million per year for each of the last three years in order to keep its door open, and that is no longer a possibility for us. The citizens of North Chicago are straining under the burden of Exxon tax rates several times higher than those of neighboring communities. The citizenry is doing all it can to financially support its schools. Under the constant pressure from military and civilian parents to provide quality education they no longer can afford, the board voted in March of this year to dissolve the school district. Extensive legal battles, which we cannot afford, have already begun, due in part to contiguous wealthy school districts' unwillingness to share the financial burden of educating the federally connected children which North Chicago has shouldered for years, even to the brink of bankruptcy.

We do support the Federal Government in its presence in our community, but we must ask the government to also contribute its fair share in education of its children. Impact Aid must be fully funded in order for District 187 to provide both military and civilian children education they need and deserve. I urge your support for the reauthorization and your consideration in our case of lowering the threshold for 3(d)2B to be eligibility.

Thank you very much.

Chairman KILDEE. Thank you very much, Dr. Simpson.

[The prepared statement of Mr. Simpson follows:]

NORTH CHICAGO COMMUNITY UNIT SCHOOL DISTRICT 187
Dr. John O. Simpson, Superintendent
2000 Lewis Avenue • North Chicago, IL 60064 • (708) 689-8150 • Fax (708) 578-1529

Impact Aid Summary

North Chicago Community Unit School District 187 remains committed to the education of all students within its boundaries including those whose parents live and/or work at Great Lakes Naval Training Center and other local federal facilities.

The District recognizes the Impact Aid Entitlement levels established via PL81-874 as being equitable. We believe that they were established as a reasonable means of supplanting potential property tax revenues rendered unavailable because of the large geographical area taken up by federal facilities.

The District also notes that appropriations to fund Impact Aid have seriously eroded over the past two decades. Current appropriations now fall short of entitlement levels by nearly one-third. With our local military complex absorbing half of our district's geographic area and contributing nearly half the student population of Unit District 187, such continuous and severe cuts in appropriations sharply reduce North Chicago's educational resources. In fact, North Chicago schools have lost literally millions of dollars over the years because of Impact Aid underpayments.

In order to survive our financial shortfalls, Unit District 187 has undertaken painful cuts in expenditures. Transportation has been denied to a large portion of our students; Special Education has been reclaimed from the Special Education District of Lake County (SEDOL); salary increases for all administrators have been cancelled; Classified staff have taken a 5% cut in pay along with reduced benefits; cuts made in the number of certified staff have ballooned average class sizes; and one of the district's school buildings has been completely shut down. Many elective courses have been eliminated. On the secondary level, the core curriculum has been preserved but only by eliminating the entire home economics and practical arts departments. All of these sacrifices effect military children as well as those from the civilian community.

The following demographic and economic facts only serve to exacerbate North Chicago Unit School District's financial woes:

- Our home county, Lake County, Illinois has the highest cost of living for any county in the state.
- This year, North Chicago's tax rate for education has become the highest in Lake County for private citizens.
- North Chicago ranks last of all Lake County Unit School Districts in EAV per Pupil at $22,900. (The average Unit District EAV per Pupil is $84,790. The highest in the county is $165,558)
- North Chicago, population 135,000, has an assessed evaluation of only about $100,000,000.
- Being in a collar county, we are also subject to the 5% cap on property taxes or CPI which ever is lower.

BEST COPY AVAILABLE

- Out of the 954 Illinois school districts, District 187 is one of only sixteen that are crippled enough financially to be certified by the State Board of Education as being in severe financial difficulty.
- District 187 ranks in the lowest 2% of all school districts in our state in regard to financial health.
- District 187 has had to borrow over $1 million per year for each of the last three years in order to keep its doors open.

The citizens of North Chicago are straining under the burden of educational tax rates several times higher than those of neighboring communities. The citizenry is doing all it can to financially support its schools. We support the federal government in its presence in our community; but we must ask the government to also contribute its fair share in the education of its children. Impact Aid must be fully funded in order for District 187 to provide both military and civilian children the education they need and deserve.

Overview - Impact Aid

Impact Aid payments to North Chicago Community School District 187 are authorized under the auspices of Public Law 81-874. The largest federal properties within Unit District 187 are Great Lakes Naval Training Center and the Veteran's Administration Hospital Complex. A sizable federal housing project, Miriam Jones, is also located within the district's boundaries. With these federal properties included, over half of the territory located in Unit District 187 is exempt from being taxed for support of the public school system.

While the percentage of students who are federally connected is significant (over 40%), there are not enough students proportionally to qualify North Chicago Schools for additional funds under Section 3(d)2B. This section provides for potential extra funding to LEA's with enrollments of 50% or more of federally connected children. At current enrollment levels, some 150 to 200 additional federally connected students would push North Chicago over this threshold. Potential expansion of Great Lakes could facilitate additional Impact Aid under Section 3(d)2B.

Historical Perspective

Forty years ago, generous military encampment subsidies were still in effect. The elementary and secondary school districts in North Chicago were well funded. In fact, they received very generous encampment money above and beyond full state funding. The federally connected students were something of a godsend for local schools. Today, Impact Aid pays for about one third of the cost of educating North Chicago's federally connected students. With pressure on the state to reduce educational funding, local residents have been called upon to fill the revenue gap. Largely due to the burden of educating nearly 2000 federally connected students, North Chicago residents are paying the highest educational tax rate in their county and still unable to meet their school district's educational expenses.

Current Situation

Current Impact Aid payments are based on a U.S. Department of Education formula that gives different weightings for dependents of federally employed and/or federally housed families. An additional weighting is allowed for special education /students. Vouchers from the Department of Education identify "Entitlement" and "Obligation." Entitlement is the amount of funding due a district according to the Department of Education's formula.

Obligation is the amount of funding that the DOE actually obligates itself to pay a district. For 1992-93, District 187's entitlement was approximately $4.1 million while the obligation fell in the $2.6 million range. For a single year, District 187 suffered a $1.5 million gap between what was due based on the DOE formula and what appropriations permitted to be paid.

5,B3,C1,C9,D7.

IMPACT AID OVERVIEW

Entitlement vs. Obligation 1988-1992

Fiscal Year	81-874 Entitlement	81-874 Obligation	$ Variance	% Variance
1988	$3,666,149	$3,471,692	($194,457)	-5.3%
1989	$4,066,456	$2,731,646	($1,334,810)	-32.8%
1990	$3,800,457	$2,894,844	($905,613)	-23.8%
1991	$4,002,276	$2,731,547	($1,270,729)	-31.8%
1992	$4,141,141	$2,644,758	($1,496,383)	-36.1%
88-92 Totals:	$19,676,479	$14,474,486	($5,201,993)	-26.4%

Source: Department of Education Vouchers for FY88 through FY92

Need Indicators:

Minority Students	71%
Economically Disadvantaged	49%
Mobility Rate	54%

Source: State of Illinois Child At-Risk Report - 1993

Fiscal Year 92 Per Pupil Statistics:

Expense Per District 187 Pupil (ADA) *	$5,016	
Impact Aid / Federally Connected Child (ADA) **	$1,332	
Percent of Expense Per Federally Connected Child Covered by Impact Aid Obligation		27%

Sources: *Lake County Regional Superintendent's Report on Tax and Per Pupil Cost for Lake County Public Schools for Year Ending June 30, 1992"

**US Dept. of Education "Voucher for Impact Aid Payments" Voucher #01305, FY92, November 19, 1992

Chairman KILDEE. Dr. Madden.

Mr. MADDEN. Thank you. Mr. Chairman, members of the committee, I am here to speak about the part of Federal Impact Aid known as section 2. I intend to represent all section 2 school districts with my comments. I believe you all have a copy of my written testimony. What I plan to do is summarize that testimony, highlight a couple of the essential elements of it. I will speak in terms of the need for the program. I won't have to do that too much because of the comments that have already been made, but I will speak a little to the need for the program and also to some proposed changes in the law.

I am a school superintendent from Illinois, but I could be from anywhere in the country. Like the vast majority of school superintendents, I constantly face the challenge of trying to provide a quality education for students within the financial constraints that we all face as superintendents. A crucial source of revenue for all of us comes from the taxes on property within our individual school districts. Without these local property taxes, these school districts simply could not survive. Even with this local source of revenue, survival is often a challenge. This somewhat normal situation deteriorates rapidly when revenue generating property is removed from the tax roles.

When the Federal Government takes over ownership of property, that property no longer generates revenue for the school district. That school district either must cut programs or programs which affect its students, or else the remaining taxpayers must shoulder the additional tax burden to at least maintain the level of education. I have just described section 2 school districts. We are districts which have had at least 10 percent and in some cases 40 to 50 percent of our revenue-generating property taken off the Federal role because of Federal ownership. We are not wealthy districts. Since the early 1950s Congress has recognized the need to somehow compensate such districts. It was with that understanding that Impact Aid and section 2 was established.

For 40 years, Congress has attempted to meet its obligations by continually supporting Impact Aid. We are asking that that support continue. That support has been a proper decision of Congress for the past 40 years, and nothing has really happened to change anything. Such support is still proper and absolutely needed. Particularly for section 2, the Federal property still produces no revenue and these districts must survive on less. Impact Aid does not make up the difference of the lost revenue, but it does help a great deal, even at the present appropriation level of about 60 percent.

I would now like to turn my attention to possible changes in the law. For the past four years, the National Association of Federally Impacted Schools, NAFIS, and its member superintendents have been studying the language of the statute, the regulations applied to the statute by the Department of Education. With that in mind, I would offer some proposals which I believe would simplify section 2 and create a fairer distribution of section 2 appropriation. It appears that the intent of Congress for section 2 through the statute has been to reimburse school districts in an amount equal to what they are presently losing because of this land being continually held by the Federal Government.

However, because of a variety of regulations by the Department of Education, the determination of entitlements to these section 2 districts have become a quagmire. One such regulation by the Department of Education relates to the determination of assessed value of the property and it assumes that the highest and best use of this property is now the same as it was when the property was acquired by the Federal Government. I don't know how the financial impact of the loss of revenue-generating property can be determined without taking into account the present assessed value of the property. The Department has not done this. I believe only by using the current tax laws of a given State and the current uses of the land can the assessed value of property be properly determined. So with those kinds of things in mind, I have outlined some possible changes in the law in my written testimony.

I would like to highlight two of those at this time. First of all, in NAFIS' own proposal, the issue of entitlement was raised because some school distribution districts receive section 2 Federal funds, but also receive other funding for the same property. In the NAFIS proposal, and section 2 students agree with this proposal, we believe that our own entitlement should be reduced by that amount, the amount of other federally funded section 2 school districts receive. So we support that language proposed by NAFIS.

In addition, we would propose that a change in the law be made regarding how assessed valuation is determined. We believe it would be proper for the local elected official in the various school districts who is in charge of assessing property to determine what the assessed valuation is of that particular property. Again, the Department regulation refers to the highest and best use, but to determine that the Department has used the use of the land when it was acquired by the Federal Government. We believe that the present use and the present value of that property should be used. Again, my own written testimony goes into much more detail on all these points. I wanted to highlight those that I have and I appreciate the opportunity, Mr. Chairman, and members of the committee, to do that.

[The prepared statement of Mr. Madden follows:]

TESTIMONY OF DR. TOM MADDEN SUPERINTENDENT OF LEMONT TOWNSHIP HIGH SCHOOL DISTRICT NO. 210 BEFORE THE HOUSE EDUCATION AND LABOR SUBCOMMITTEE ON ELEMENTARY, SECONDARY AND VOCATIONAL EDUCATION

MAY 25, 1993

Mr. Chairman, members of the Committee, Good Morning.

I wish to begin by thanking you for allowing me as spokesperson of the Section 2 school districts, to testify this morning on the problems of Section 2 school districts around the country. Inasmuch as you are presently considering the reauthorization of Impact Aid including Section 2, we who are the superintendents of the Section 2 school districts feel it critical that you fully understand Section 2 and the problems facing our districts.

The purpose of Section 2 Impact Aid is to reimburse school districts for revenues lost as a result of the federal government taking at least 10% of their assessed valuation away--the very life blood of a school district--by the acquisition of property for federal purposes. Up to the early 1950's when the original legislation authorizing Impact Aid was passed, the effect upon school districts when the federal government took these lands was devastating. These districts were suddenly faced with having to educate their children with 10% or more of their funding suddenly cut out from under them. This left these districts with the responsibility of attempting to continue the education of these children at an appropriate level with 10% or more fewer dollars (in some cases up to 45 and 50%); and the taxpayers of these districts were left with significantly increased tax burdens to try to offset as best they could the federal impact on the districts. Mr. Chairman, members of the Committee, I have no knowledge of whether or not your staff has had the opportunity to research how many homes were displaced when these various federal acquisitions occurred; if you have, I am sure that you have found, just as we have through our discussions with the various Section 2 superintendents, that the vast majority of the acquisitions by the federal government during these times did not involve residential areas. Further, where homes were taken, the people did not necessarily move out of the districts. The result was that there was very little change in the number of students to be educated - simply a change in the amount of revenue the School District could generate to educate them.

In the early 1950's, Congress with the understanding and support of the Truman and Eisenhower Administrations, passed the Legislation for Impact Aid. Congress and the executive branch at that time fully recognized the impact upon the children and the citizens of those few communities where 10% or more of the assessed valuation of the District had been suddenly removed by federal acquisition. Congress fully realized that the taxpayers of these few communities could not be expected to make up differences of 10% or more, and thus passed the legislation which, in one form or another, is presently before you for reauthorization. Section 2 was the beginning of Impact Aid; Section 2 was the original basis of Impact Aid due to the extreme burden placed upon the children and citizens within these few school districts.

Unfortunately, over the years, Section 2 has seemingly become lost in the shuffle. Inasmuch as there are only 260 plus Section 2 school districts, we have found that many members of Congress are unaware of Section 2 districts or what Section 2 is all about. While other areas of Impact Aid have been recognized by Congress over the years, Section 2 has seemingly become the "lost child." Due to the fact that there are so few Section 2 districts, due to the fact that their appropriation is so small compared to other aspects of Impact Aid, and due to the fact that, by their very definition, there are no wealthy school districts, these districts

BEST COPY AVAILABLE

have received little attention and little recognition over the years.

Mr. Chairman, members of the Committee: The impact upon these districts is continuous and perhaps more devastating than ever before. Until 1988, these districts were being funded at 100% of their entitlement; since that time, the funding has decreased to the extent that these districts are now receiving approximately 60% of the funding that they are entitled to. The result of the decrease in appropriations has struck these districts to varying degrees. Some districts, such as mine, have been able to maintain an appropriate educational level and while not ranking extremely high as to our per student expenditure, have been able to stay in operation without major cutbacks. Other Section 2 districts, however, have fared much worse - some having to cut faculty as much as 17%. I say this to you because, while I realize that you are not the Appropriations subcommittee, I wish to make it clear that you will not find any "pork" in Section 2; that these districts, by their very definition, are seriously and economically damaged districts with 10% or more of their income being removed due to the federal acquisition of land within their boundaries.

As the designated Spokesperson of the Section 2 school districts in the United States, I can inform this Committee and Congress that the Section 2 districts over the last 4 years have reviewed the problems with the language as presently codified in the Statute and the Department of Education's Regulations. Having analyzed these problems and the present Statute, we would offer some proposals to simplify Section 2. We believe that these proposals will result in a better understanding of Section 2 by Congress, a fairer distribution of monies to Section 2 school districts, and that in fact by simplifying the operation, Congress will indeed save money on manpower that will no longer be needed at the Department of Education to determine Section 2 entitlements.

Earlier, the initial aim of the Statute was to reimburse each Section 2 school district for each fiscal year in "such amount as ... is equal to the continuing federal responsibility for the additional burden with respect to current expenditures placed on such school district by such acquisition of property." The Statute goes on to state that "such amount shall not exceed the amount which, in the judgment of the Commissioner, such agency (school district) would have derived in such year, and would have available for current expenditures, from the property acquired by the United States, such amount to be determined without regard to any improvements or other changes made in or on such property since such acquisition." And finally the Statute states that "in making the determination of the amount that would have been derived in such year, the Secretary shall apply the current levied real property tax rate for current expenditures levied by (the school district) ... to the current annually determined aggregate assessed value of such acquired federal property."

Considering Congress' intent as well as just plain common sense, the Districts should be reimbursed in an amount equal to that which they are presently losing due to this land being continually held by the federal government. However, due to a variety of regulations by the Department of Education, determination of entitlements to these few Section 2 school districts has become a quagmire.

In the mid 1980's, the Department was using any number of formulas to determine what a district's entitlement would be, based upon the Statute. At one time, one of our Colorado Section 2 school districts starting polling other Section 2 districts and determined from its informal poll that no fewer than 20 different formulas were being used by the Department in various places in the country to determine entitlements. After that was pointed out to the Department by the Colorado district involved, as well as by other districts, the Department passed a series of regulations to clarify the matter. However, in the Department's clarification, it seemingly ignored the intent of Congress. The Department determined in its regulations that in arriving at any such aggregate assessed value of such acquired federal property, that the assessed value would be determined by assuming that the highest and best use of the property is the same as it was at the date of the acquisition of the property. This seemingly ignores and misconstrues the original Congressional intent which was that "the *current* levied real property tax rate for *current* expenditures levied (by the school district) should be applied to the *current annually determined aggregate assessed value* of such acquired federal property."

How can one ascertain the financial "impact" of the loss of the federal land for the current fiscal year without taking into account the current assessed value. The Department, by its own regulations, not only has not done that, but as is the case in some states, including Illinois, has ignored the present tax laws to determine not what the actual entitlement should be but rather, what is the *lowest* entitlement possible. Only by using the current tax laws of a state, and by using the current uses of the land, can any assessor properly determine the present value (assessed value) of the property that has been taken by the federal government.

With this in mind, we ask that you not only reauthorize Section 2, but that you also pass language which expresses a reasonable basis for determining the current assessed value of such federal land.

With this in mind, I would suggest the following language be added to Section 2a of the Act to wit: "Such aggregate assessed value of such acquired federal property shall be determined, and provided to the Secretary, by the local official responsible for assessing the value of real property located in the jurisdiction of such local educational agency for purposes of levying a property."

By passing of this language, the true impact of the loss of the federal property from the taxable land records for a given school district will be fairly measured by local officials to determine its value. In effect, under this language, the school district will be reimbursed (on a pro rata basis, or otherwise depending on the amount of the appropriations for a given fiscal year), *exactly what the school district would have received but for the loss of said federal land from the assessed valuation records maintained by the local public assessors of land*. Nothing could be clearer. Nothing could be more equitable. Section 2 school districts are not looking for any advantage, they are simply looking for equity. Section 2 districts are certainly not looking for pork, they are simply trying to *survive*! We believe that this language should once and for all bring forth a fair determination of the entitlement due to the district on a annual basis. It is our understanding that Congressman Fawell, Congressman Costello, Congressman Poshard, and several other congressmen will be introducing legislation with this language very shortly, if they have not already done so. We would ask those of you on the committee to consider including this language to clarify this matter once and for all.

We would also support the proposal submitted to the committee by the National Association of Federally Impacted Schools. That proposal would state that payments under Section 2 would be "without regard to the provisions of 34 CFR 222.101 (as in effect on December 5, 1991): provided further, that entitlement under this section shall be reduced by any revenue received from the preceding fiscal year by the local educational agency that was generated directly from the federal property or activities in or on that property (aside from Section 2 payments) and was exclusively provided to such local educational agency." Section 2 school districts are fully in support of this provision and while we did not have the language set for the National Association of Federally Impacted Schools as to determination of the entitlement at the time that the proposed language was being drafted, we do support the second half of their proposal which I just stated. This would remove the so-called need factor from the determination of impact aid to these school districts.

If Section 2 school districts were wealthy or even semi-wealthy, I suppose an argument could be generated with validity that a need factor should be put into the equation of determining how much money each of these districts should receive. However, due to the fact that these are districts that have lost ten percent or more of their entire assessed valuation due to the acquisition of land by the United States, these are not wealthy districts. Rather, these are districts whose taxpayers have had to make up the difference out of their own pockets since 1988 - be they young, middle-aged or elderly; whether they be poor, middle class or wealthy. The bottom line is that Section 2 affects all of the citizens of the community as well as all of its students. The need factor and the present regulations have served to punish those few districts who have been able to balance their budgets despite this problem. In effect, Mr. Chairman, those few districts who have been able to place an added tax burden on their citizens so as to avoid deficit spending, or who have made enormous cut-backs so as to continue providing educational services to these children, have then been punished for their financial integrity by the Department. In my opinion, it makes no sense for the federal government to punish a Section 2 school district by reducing its entitlement--because it has been able to avoid deficit spending. I would say this, if you can show me a wealthy Section 2 school district, or one that is wasting funds, I'll show you a district that does not belong in Section 2.

I would also note to you another change in the proposed law that would state under Section I(b) that Section 2 would annually receive 2.5% of the annual appropriation. While we in Section 2 originally thought this to be a good idea in view of the fact that the appropriation had been decreased since 1988, we are worried about this language in view of the administration's present proposals to cut Section 3(b) and Section 2 itself. While this language would provide certain protection for Section 2, the reduction and the overall impact aid budget due to the closing of military bases (which would primarily affect Section 3 a and b - not Section 2) could result in a devastating reduction in the overall appropriation to Section 2. Thus, in view of the position being taken by the present administration and eminent closing of bases, we would no longer support this language and ask that it be deleted from the proposal.

Mr. Chairman, Members of the Committee, I once again thank you for your time and consideration in allowing me to speak to you this morning regarding these issues. We of Section 2 believe the proposals that I have outlined to you today will serve to correct the inequities as presently contained in the statute and would ask for your continued support. I would inform you that we have also polled our people regarding any other regional problems presently affecting Section 2 school districts and can tell you that with exception of the unique South Dakota Grasslands Problem that there are none. As for the South Dakota Grasslands Problem to which I understand there is also an amendment forthcoming for your consideration, we would ask that you give it careful consideration to alleviate their unique circumstance and to bring total stability to Section 2 once and for all. It is our view that we would rather have all Section 2 issues dealt with and handled at one time during the reauthorization, rather than to face these problems piecemeal over the next five years. We have no problem with the other language as presently contained in the statute and ask for your continued support. Once again on behalf of my school district as well as all of the school districts of Section 2, their students and citizens of those communities I thank you and now stand before you to answer any questions you may have.

Chairman KILDEE. Thank you very much. I think the one thing that ties these two programs together, the one common element, at least, is that the money received is really money that can be used as you determine it to be used on a local level. It is general assistance money, it is like educational revenue sharing, noncategorical. So that is one of the reasons we are having both groups testify on this.

I remember for many years, even before I came to Congress, there was talk about educational revenue sharing where a certain amount of money would be sent to local school districts and they would determine how it best would be spent and increase that rather than categoricals. When I first came to Washington 17 years ago, I had in mind that it would be a nice vision to have educational finance, say one-third State, one-third local and one-third Federal.

What has happened since I got here, that the Federal role has really diminished, not because of me, I am fighting that, but it is diminished. But the one element that I think we all find attractive, even though we still recognize certain special groups out there who need help from the Federal Government, is that once you get that money, you on the local level can determine where that money can best be spent. So it is really kind of a general assistance type of money, targeted toward certain particular groups. Mr. Goodling and I talk from time to time about the advantage of Chapter 2, because it is kind of a general assistance and the same thing really applies in a sense to the Impact Aid.

Let me ask a question here. Should the uses of Chapter 2 funds be more closely aligned to State and local systemic reform activities, and are there provisions in current law which discourage alignment with State and local reform? Maybe, Mr. Ruskus, you could start with that, then any of you may joim in.

Mr. RUSKUS. The responses that we got from our survey of State coordinators certainly support the notion that the targeted assistance area should be brought more in line with reform. Whether that be rewriting the areas to match the national goals, linking the areas to their own States' reform priorities, or broadening the effective schools program targeted assistance area to include the full range of school-based reform. There is a lot of support among the constituents of Chapter 2 to do just that.

Chairman KILDEE. Is there anything in the law now that makes it more difficult for those dollars to be used for reform?

Ms. RUSKUS. Yes. There are really two things. There is a limit of 25 percent which must be spent by States for effective schools programs. Twenty or five?

Mr. HEYMAN. Twenty-five.

Ms. RUSKUS. Twenty-five. And——

Mr. HEYMAN. I am sorry, 20 percent.

Ms. RUSKUS. Twenty percent, right. And for effective schools programs as they were defined in the prior legislation. Now, that legislation specified correlates of effective schools which was the thinking at that time, that effective schools were related to certain correlates, and the law very clearly says that effective school is defined in this way. Well, naturally after years and years, we have moved beyond that. We have learned a lot more about school reform. It has become far more systemic, far more school based with all kinds of permutations. And having that wording in there sends a message to many States and locals that they need to do that kind of effective schools program.

So to broaden the definition of effective schools to include school based reform, systemic reform would go really far in helping them to do the things that they see as reform. It would update it. Now, the other provision in the law which is somewhat constraining is the supplement not supplant requirement. In States where there are mandated reform efforts, Chapter 2 directors are hesitant, sometimes unclear, about whether Chapter 2 funds can be used to support those kinds of reform efforts, which are usually, you know, the main kind of exciting things that are happening in States. And so that is unfortunate. It would be good if the supplement not supplant could be made more flexible to include any type of reform, whether it be mandated by a State or not.

Chairman KILDEE. I appreciate your very specific examples. I want to address those issues. Anyone else want to comment on that question?

Mr. HEYMAN. As a Chapter 2 program manager at the State level, I would agree with both of those comments, that the effective schools targeted assistance area tends to be interpreted very narrowly to the effective schools program, that a broadening of that to include all of the various reform models would be very helpful, I think, to people in the field. I also think that supplement not supplant on occasion can create problems, particularly when State legislation is very specific as to what needs to be done in terms of a reform.

When that occurs, then any time you support a project with or try to support a project with Chapter 2 funds, that becomes a supplanting issue. And so there is a tendency to move away from using Chapter 2 funds to support those kinds of activities.

Chairman KILDEE. All right. I defer to Mr. Goodling now.

Mr. GOODLING. Thank you, Mr. Chairman. Just a couple quick observations. First, I will start—well, first of all, there are a couple questions that Congressman Gunderson had for Dr. Ruskus and we will just hand those to you and you can respond as you can. And then Congressman Cunningham had a few questions for everyone and you can respond to those as you wish or as you have time, to them personally.

The couple observations I would make, first of all, if I had my druthers, Chapter 2 would be systemic reform, period. I wouldn't play around with all these programs that enthuse this committee dramatically. I would just say, you know, we want systemic reform. Here is your Chapter 2 money. This is what we expect as end results, go to it. And that is the way I would handle Chapter 2. But Chapter 2, every place we have gone, whether we are hearing testimony here or testimony in any of the districts which we have visited, they keep saying how important Chapter 2 has been to their whole systemic reform and to their training and retraining their staff, then, in relationship to the systemic reform that is taking place. That and flexibility, I think, are what we hear every place we go, over and over and over again. And, of course, Gene, I won't ask you to say where OBE fits into Chapter 2. We won't discuss OBE at this particular time.

Mr. HEYMAN. I am very happy to hear that, Congressman Goodling.

Mr. GOODLING. We have the expert sitting in the rear anyway, I notice. So that has been a big issue in the State of Pennsylvania for those of you who are not familiar with our ongoing problem. Let me say, then, that as far as impact data is concerned, number one, if we cut another $189 billion from the military budget over the next five years, I don't think you will have to worry about military personnel and their children in your districts.

What you probably have to worry about is they may stay there unemployed after they are dismissed and that will be another problem you have to deal with. But the one caution I would give to the Impact Aid community is don't do what you did the last time around. Chairman Ford kept saying over and over again—I think he was the Chairman at that particular time—you people better get your act together or you are going to be ignored. At midnight we would think we had the group together and at 9 o'clock in the morning when we went to committee, of course, there was no agreement. So I would only say that all the forces better join together if you want to make your voices heard. Otherwise they won't get heard very well. And those are just a couple observations I would make and no questions.

Chairman KILDEE. It is an interesting observation because this has been the Impact Aid question, we have wrestled with it in the 17 years I have been here. You have support for it in the Congress. If I were to take a survey, numerically you might have more support, I am just thinking out loud here, about the committee. You have about a hundred people who rush right to Mr. Natcher to get money for the appropriations, so it is interesting. You do have support for it in the Congress and you have certainly done some excellent work this year. I think it is important, as Mr. Goodling points out, that you can march together with a proposal to help the authorizing committee on this.

It is, as I say, the executive branch of government, since I have been here, that has not been very enthusiastic about this. You have been able to keep it alive, breathe life into it, go to the Appropriations Committee, get something there, but I think Mr. Goodling's advice is very, very good.

Mr. GOODLING. Well, if we would fund the categorical programs that we throw out there, the Impact Aid money wouldn't be as necessary. But in Dr. Simpson's area, I would imagine that the fact that we don't fund the 40 percent we promised in special education probably has a tremendous impact on a district such as his. And if he loses Impact Aid on top of that—so if we would fund some of those, particularly special education, if we would ever fund that 40 percent, what a blessing that would be to local districts to handle their problems locally.

Chairman KILDEE. Mrs. Mink.

Mrs. MINK. Thank you very much, Mr. Chairman. I have visited the issue of Impact Aid for a long time during my entire previous tenure from 1965 to 1977. It was a cause that required total concentrated effort. And so I fully share with you the frustrations experienced by the systemic cuts that you have experienced in the appropriations area for Impact Aid. I consider it an abrogation of Federal responsibility. I take it very seriously, that when the commitment was made it was based upon the fundamental principle that since the Federal Government did not pay taxes or make contributions, nor did those who occupied those lands and worked in those communities make a proportionate contribution to the cost of education in the areas in which they resided, that it was the responsibility of the Federal Government to make up that deficit. And I think that principle is still sound today and to suggest that because we are now experiencing a drawdown in terms of our defense installations and we read about base closures, that that responsibility somehow is diminished, I think, is fundamentally very wrong. Because there will be installations that continue to exist and communities that will suffer as a result of diminished funding.

So I join in urging your persistent efforts and know, as the Chairman has suggested, that there are dozens and dozens in the Congress who march over each year to the Appropriations Committee for Impact Aid. So I think that with the dawn of new attitudes, I hope that your efforts will increase and not be discouraged in any way. And I, for one, on this committee, I don't know how many others will join me in the effort, but I, for one, on this committee will commit myself to doing whatever I can to stabilize the program and make sure that the Federal commitments are adhered to.

I think they are fundamental and I think they are right and the passage of time has not diminished the soundness of that principle. Thank you.

Chairman KILDEE. Thank you, Mrs. Mink. Mr. Fawell.

Mr. FAWELL. Thank you, Mr. Chairman. I guess I just have a short observation and then one question. Dr. Madden has certainly made a fine presentation when he states that in determining the impact upon a school district of the loss of assessed valuation, that one ought to use present use and present value. This morning I just took the statute out and read it. It states in section 2 that in determining the amount of taxes that would have been derived each year, the Secretary shall apply the current real property tax rate to the current annually determined aggregate assessed valuation, which strikes me as being very clear, that what you are saying is the way it ought to be construed right now and about the only amendment you would need would be and we really mean it. You want to make sure that DOE, Department of Education, does still construe it. But I think it is also important to emphasize that we are talking only about vacant land value, not improvements.

I do have legislation which I am preparing, working with Congressman Lipinski, Congressman Poshard, Congressman Sangmeister, and several others, to simply try to clarify this. I think it is ludicrous to go back, as in Dr. Madden's district, 47 years and take the land use value of that time, and say that is what we are going to use in determining the market value and hence assessed value. So I think your points are very, very well-taken and I hope that there can be agreement on that point.

The other question I have is when we talk about land value we are not talking about any measurement of needs. As I read the statute again, the only mention of needs base is the admonition that the acquisition of the Federal land, quote, "has placed a substantial and continuing financial burden on the school district."

I think, Mr. Small, you testified that it is a very complex, almost an unworkable, lengthy process that the Department now goes through to determine if indeed a substantial and continuing financial burden has been placed on the school district. I think you made it clear that there should be a needs-based kind of a formula worked in there.

Mr. SMALL. That is right.

Mr. FAWELL. How would you simplify that? I agree with you. We certainly shouldn't have a silk-stockinged district necessarily pull down this money, and most of them are poor because they have lost land. How would you measure need?

Mr. SMALL. Mr. Chairman, Mr. Fawell, we propose that in our proposal, the Phoenix proposal, that there is a weighted formula, as mentioned in previous testimony, that all of the children would be weighted. The Indian child residing on Indian lands would be 1.35 on down to the civilian at a .25, I believe. The other factor that is brought into this is the needs basing; a percentage of impaction in my district was mentioned.

I am up to about 91 percent in my school district of federally impacted kids, and also a percentage of budget. And those, then, would be the need factor which would determine the payments for the particular school districts. And I hope that answers your question.

Mr. FAWELL. Thank you.

Chairman KILDEE. Thank you, Mr. Fawell.

Dr. Simpson, could you please describe more specifically to the committee how the Great Lakes Training Center and the federally-connected children reduce available local revenues for your district? For example, is sales tax an education revenue, and if so, do most of your military parents shop on base? And do your B parents avoid income tax through the Soldier and Sailors Relief Act?

Dr. SIMPSON. Mr. Chairman, the Great Lakes Naval Training Center adds quite a bit to Lake County itself. It adds very little to the community of North Chicago and more specifically to the school district in North Chicago. There is a very large exchange in North Chicago and many of the persons there shop at the exchange. There is not a sales tax that is paid by those persons that contributes to education in North Chicago.

Chairman KILDEE. Okay. Thank you very much. I wanted to have that for the record here. Let me ask you another question on the Impact Aid. The Phoenix proposal shows a great deal of effort. It is very interesting and it is very understandable.

Does the Phoenix proposal take into account what kind of tax effort a district is making, the local district?

Dr. PATTERSON. No, sir. That has been an issue that we have talked about and quite honestly with the differences in States and all of the variances, I think it is certainly something that could have an effect. The fear of the people is that if you have a low tax rate and you are using Impact Aid to just really subsidize your local taxpayers, that is not intended and we don't think that is happening, but we have not found a way—Mr. Forkenbrock has certainly talked about the openness to—if there was a system out there. It does not specifically say unless you are making this effort.

Now, for instance, in my State, there is that. If I don't make a certain effort in our local taxpayers, then any State funding is significantly reduced, so it would be foolish of me to try to subsidize some State funding through Federal Impact Aid. So if I am not making a minimum effort to State, then I am penalized severely. We are a heavily State-funded district. So it would seem to be foolish to try to attempt to play that game. We would hope that is not being played.

Chairman KILDEE. Yes, Mr. Small.

Mr. SMALL. Yes, if I might add, in our State under the new funding formula, which just happened a month ago, we are required to come up to an 80 percent level by the taxpayer, who then has to assess themselves or the district assesses the taxpayer to bring them up to a level in the Federal—excuse me, in the Foundation Program. When we talk about tax effort, as I mentioned in my testimony, the one district that is in the Blackfeet Reservation, the Heart Butte district, they only have one taxpayer. And our land base, you know, there is just not the tax base.

Other reservations, the Northern Cheyenne Reservation, there is but three taxpayers. The Rocky Boys Reservation has but two taxpayers. So to say what is the effort, tax effort, you know, there is very, very different circumstances between each State.

Chairman KILDEE. I really, you know, find very attractive the targeting of more dollars in the Phoenix proposal to those districts with greater financial need and perhaps we can continue some dialogue on local effort, because I think the targeting, you have done a very good job and I find it very, very attractive.

Mr. Small, what percentage of students in the Browning public schools are Indian students or Indian students and reservation Indian students?

Mr. SMALL. What percentage are Native Americans are you saying?

Chairman KILDEE. Yes.

Mr. SMALL. Or those living on Indian lands?

Chairman KILDEE. Both, those who are Native Americans and then what percentage living on reservation land?

Mr. SMALL. Okay. We receive Title V funds through the Elementary and Secondary Education Act also, so we do determine that 96 percent are of Native American background. However, because of the land base, some of those students do live on taxable property so then that drops down to 91 percent of the students are living on taxable—on nontaxable property.

Chairman KILDEE. On reservation property?

Mr. SMALL. That is right.

Chairman KILDEE. Or reservation-owned property?

Mr. SMALL. Tribally-owned or trust property owned by the Federal Government in trust for the tribe. And that is 91 percent of students living on lands, Indian lands. And then 96 percent of the students in our school district are of Native American descent.

Chairman KILDEE. These are public schools now?

Mr. SMALL. That is right.

Chairman KILDEE. Do you also have in the area any contract schools and BIA schools?

Mr. SMALL. Many of our students do go off the reservation to Bureau of Contract schools or Bureau-operated schools. However, we do not have one in our district. We do have a boarding dormitory that is run by the Bureau, or is contracted by the tribe through the Bureau of Indian Affairs and those students do come to our public schools.

I talked about the wide expanse of our reservation and the travel and a lot of other circumstances that these children are then placed in a dormitory and then we bus them in to the school district.

Chairman KILDEE. In addition to the Impact Aid dollars generated, do you receive any other Indian programs, education programs for the students attending the schools?

Mr. SMALL. Categorical or supplemental in nature, yes, we do. As I mentioned, Title V, which is about, I think we generate right around $99 per student. Coming out of the Bureau of Indian Affairs, the Johnson O'Malley program, I think we receive right at $110 per student.

Chairman KILDEE. Actual dollars?

Mr. SMALL. That is right. These are supplemental in nature. I think there is a very distinct difference between the impact program and the supplemental aid programs.

Chairman KILDEE. I recognize that. I am asking for this reason. I really feel that even if the Federal Government were to drop any support for education, which God forbid, I am trying to get us to increase it, that we still have a legal, a moral, and a treaty obligation to the Indian students of this country. And in the 17 years that I have been in Congress, I have tried to make sure we carry out those responsibilities. I always remind people that we should go down through the National Archives and read the treaties that we have signed with France and England, Germany, Soviet Union, and the Indian tribes. They are all in the Archives down there. And on almost all the treaties we signed with the Indian tribes, one thing we promised when we took millions of acres of land was education for the Indians. And the Federal Government has done a miserable job in carrying out its part of the treaty. And I will try, myself, in various capacities to make sure that we do a much better job with Indian students.

Mr. SMALL. And we certainly thank you for that fact, sir.

Chairman KILDEE. It has been very helpful, we got some very specific ideas on Impact Aid. We got some very specific ideas on Chapter 2 where we can help maybe direct that towards reform. I think it has been very, very helpful. I think you will find some things working their way into legislation. I certainly appreciate it.

Mr. Goodling?

Mr. GOODLING. Just two quick observations that came to mind. Dr. Ruskus, your recommendations as far as Chapter 2 is concerned I think are very good and a couple of those we really want to make sure that they become a part of any kind of reauthorization, if we have any money left to reauthorize the program, which I hope we do. As far as Phoenix, I think your concept is moving in the right direction when you talk about As and Bs, I don't know whether I totally agree with the percentages you have there.

The one concern I would have, I suppose, is we want to make sure we don't make this thing so complicated that you get paperwork on top of paperwork and auditors on top of auditors checking to see whether you are actually getting .30 or .25 or point something else going in one direction or the other. And I guess the last observation I probably shouldn't make, but I hope I will live someday long enough to see Indian children off of reservations so that they have an opportunity to participate in this great—whether it is our fault or theirs, but it is also our fault, I suppose, that they remain there, but I just—if they can't become a part of the entire society, I just think it is about as devastating to their future as anything I can think of. And I don't know how to bring that about, but I would sure like to see it in my lifetime.

Chairman KILDEE. I want to thank all of you. We have had very good hearings this year and some of them have been more philosophical, what the Federal Government's role should be. But all of you have been much more specific. I think from here we will have some things that hopefully can be written into law as we reauthorize this year.

I want to thank you for it. We have had very, very good ideas for Chapter 2, some ideas, specific ideas for Impact Aid. It has been quite helpful. And because there have been some questions by two members, at least, who want to submit them to either specific people on the panel or to the panel, we will hold the record open for two additional weeks to give you time to reply to those questions.

And at that, the subcommittee stands adjourned.

[Whereupon, at 12 p.m., the subcommittee was adjourned.]

[Additional material submitted for the record follows.]

TESTIMONY OF
HONORABLE TERRY EVERETT
before the
HOUSE EDUCATION & LABOR
SUBCOMMITTEE ON ELEMENTARY, SECONDARY EDUCATION

Impact Aid Reauthorization

May 25, 1993

Mr. Chairman:

I appreciate having the opportunity to testify today on the very important issue of educating our children by way of the Impact Aid Program. The reauthorization of the Impact Aid Program is a vital and an integral part of any effort to reform our national education system. The policy of the United States should continue to provide financial assistance to school districts, either because of a loss of real property due to federal acquisition, or because of the financial burdens placed upon them when they are responsible for educating the dependents of people who live and, or work on federal property.

Currently, section 3 of the program categorizes students into two classifications for purposes of formulating payment to schools based on the severity of impact to the local tax base. Although we have a new administration in the White House, "B" category students continue to be ignored as relevant factors to the Impact Aid formula. Unfortunately, the Clinton Administration has gone one step further by announcing its intention to phase out "B" students from the formula altogether in the next two years. Category "B" students represent 350,00 military dependents and 564,000 subsidized housing children. If the reauthorization of Impact Aid does not include "B" students, nearly 1 million students will become the full financial burden of local school districts, and will undoubtedly impair the quality of education offered by these elementary and secondary schools.

Mr. Chairman, I represent the Second Congressional District of Alabama which is heavily impacted by two major military installations; Air University at Maxwell Air Force Base, including the Gunter Annex, and the Army's Aviation Center at Ft. Rucker.

Seventeen separate school systems in my district are impacted by these military bases, with almost 15,000 students who are federally connected. In FY 92, that amounted to a direct payment of more than $1.5 million. That may not seem like much here in Washington, but to those school systems in my district, it's a matter of survival. It was made very clear to me by some of the school superintendents from my district that this program represents the only federal dollar to Alabama school systems that is not specifically earmarked, giving each school system the flexibility to manage their schools in a way that best suits their individual needs.

Of those seventeen school systems, Daleville City, Enterprise City, Montgomery and Ozark City are most dependent upon Impact Aid. Category "B" students make up 43.2%, 40.4%, 18.6% and 35.1% of their student bodies, respectively.

I don't have to tell you, or the Members of this Subcommittee how important Impact Aid is to federally impacted school systems. As you all know, this funding is basically a reimbursement for tax revenues these communities would otherwise receive. Without this assistance, the addition of federally connected students in the classrooms would unfairly burden the entire school system. I firmly believe this is a quality of life issue for the children of the men and women in uniform who deserve to have access to a decent education.

We talk a good deal around here about the need to improve the quality of education for our children if we want them to be able to function in this increasingly competitive and technologically demanding society in which we live. The Impact Aid program is basic to the need of equitable funding for all school districts, and I would urge all Members of this panel to support the reauthorization of this program.

Thank you, Mr. Chairman.

BEST COPY AVAILABLE

HEARING ON H.R. 6: CHAPTER 1, TITLE 1, ELEMENTARY AND SECONDARY EDUCATION ACT

THURSDAY, JUNE 10, 1993

House of Representatives,
Subcommittee on Elementary, Secondary,
and Vocational Education,
Committee on Education and Labor,
Washington, DC.

The committee met, pursuant to notice, at 10:20 a.m., Room 2175, Rayburn House Office Building, Hon Dale E. Kildee, Chairman, presiding.

Members present: Representatives Kildee, Roemer, Woolsey, and Gunderson.

Staff present: Susan Wilhelm, staff director; Jeff McFarland, legislative counsel; Diane Stark, legislative specialist; and Jane Baird, Minority counsel.

Chairman Kildee. The subcommittee meets this morning for a hearing on H.R. 6. Today's focus is the reauthorization of Chapter 1, Title I, of the Elementary and Secondary Education Act.

Our witnesses are local Chapter 1 administrators and principals, who will provide us with the practitioners' perspectives on the effectiveness of Chapter 1 and recommended improvements in the law.

Mr. Goodling would be speaking right after me, save for the fact that he is testifying before the Government Operations Committee. He will be here as soon as he has finished his testimony.

We have one panel this morning, with the following witnesses: Mrs. Carley Ochoa, Director of Compliance, Grants, and Parent Outreach, Riverside Unified School District, Riverside, California; Mrs. Susan Toscano, Principal, Fremont Elementary School, Riverside, California; Ms. Evangeline Wise, Assistant Supervisor, Chapter 1/State Compensatory Education, Prince George's County Schools, Bowie, Maryland; Dr. Patricia Kelly, Principal, Langley Park-McCormick Elementary School, Hyattsville, Maryland; and Mr. Richard M. Force, Executive Director, Main Line Learning Project, Havertown, Pennsylvania. Welcome.

Mr. Roemer, do you have opening remarks?

Mr. Roemer. Mr. Chairman, only to welcome our truly expert witnesses here this morning. When we talk about such words as reality, pragmatism, and experience, we definitely have that before us today. We look forward to hearing your insight and expertise on such controversial areas as pull-out programs, performance assessments, and standards.

We have heard a number of different testimonies on these subjects. I know, from just reading briefly through your testimony, that you disagree with some of the previous testimony we have heard. I have heard wonderful things about how successful your programs are, and I certainly encourage you to be as creative and reform oriented as possible for our committee.

Chairman KILDEE. Thank you, Tim.

Our first witness is Mrs. Ochoa.

STATEMENT OF CARLEY OCHOA, DIRECTOR, COMPLIANCE, GRANTS, AND PARENT OUTREACH, RIVERSIDE UNIFIED SCHOOL DISTRICT, RIVERSIDE, CALIFORNIA

Mrs. OCHOA. Mr. Chairman and members of the committee, thank you for the opportunity to share my experience—and I am glad to know that you value that experience; thank you—and my insights about Chapter 1 and its reauthorization. I am Carley Ochoa. I direct compensatory education programs in the Riverside Unified School District in southern California.

As an added note, I have been working with Title I, Chapter 1, and all the laws since the late 1960s. So I am not a newcomer to the program.

I would like to begin by telling you about all the features of our current Hawkins-Stafford bill that I like, the things that are working, and to urge you not to make changes for the sake of change, to not submit to the rhetoric of those who would tell you that Chapter 1 is a dismal failure—it is not.

I speak to you as a practitioner at the local level, who looks at the current legislation as a real breakthrough from the old notion we had about Chapter 1 being a remedial basic skills program. As I read the Hornbeck commission report, I noted that they said we need to change from a skills-based program to something with higher-order thinking skills. I would submit to you, that is what we did in 1988.

In April 1988, the President signed Public Law 100–297, which reflected a major shift in the way we have been operating Chapter 1 programs. We now had a purpose, which said students should be successful in the regular program, rather than the old basic skills approach, and that we improve basic as well as more advance skills; which provided us the opportunity to set aside up to 5 percent of the funds for innovation; and that allowed us to implement schoolwide programs without matching funds. In return for these many new flexibilities, it said that we had to be accountable for the achievement outcomes of students.

Somehow, this all sounds a little familiar. I have read several commission reports and articles that suggest we should be rewriting and reinventing Chapter 1 to allow us to do these very things that we already can.

The Commission on Chapter 1 decided the challenge was to convert Chapter 1 from "a law designed to teach poor children basic skills" to one dedicated to spurring the kinds of educational change that would result in children born into poverty acquiring high-level knowledge and skills. Again, this language sounds very familiar. It is now stated pretty clearly in the purpose of the current law for Chapter 1.

People have said that we need to make more than cosmetic changes to Chapter 1. Where we need to make more than cosmetic changes is in our basic educational program. Some people refer to systemic reform as the panacea for all that ails us in public education. Agreed. We need to reform our public education system. I am here to plead with you that we do not try to do it at the expense of our Chapter 1 children.

So I say, perhaps we do need only to tinker with the current bill around the edges. I have heard that expression a lot. We do want to look at the formula on how often we need to realign it with census and other data. We do want to look at better coordination with other funding sources for increased benefits to our identified Chapter 1 youngsters. We do want to encourage the expansion of preschool and integrated social and educational services.

We do want to look at assessment and make reasonable changes which allow us to make intelligent program modifications and, at the same time, have nationwide data that can be aggregated for those all-important evaluation purposes.

The support system for the current Chapter 1 program, though well intentioned, has not been very successful in helping practitioners at the local level improve programs for children. I think we are most fortunate to enjoy the leadership in the Department of Education of Mary Jane LeTendre, but we have not given her the tools to do her missionary work.

By the time Chapter 1 funds filter through 50 State agency budgets, with 50 different ideas about how to provide technical assistance, the actual assistance gets pretty watered down. The TACs, the technical assistance centers, currently appear to provide evaluation assistance but not much in the way of instructional enhancement—not because they do not want to, not because they do not have the personnel to do it; they do not have enough resources and people to provide it.

I would suggest that strengthening the TACs, by asking them to serve as brokers, linking local schools with broader networks of school effectiveness, might be an answer. I do not, however, see the concept of technical assistance replacing the concept of compliance. We need to continue to focus on meeting the needs of identified children in a compliant manner that will ensure that their programs will not be diluted and with increased support at the Federal level.

My greatest hope is that Congress will strengthen those measures in the current law designed to deliver dynamic learning experiences, with good results, to our Chapter 1 children. Give it a chance to work, and keep faith with the promise made to the children in the War on Poverty and civil rights legislation. Thank you.

[The prepared statement of Carley Ochoa follows:]

Mrs. Carley Ochoa, Director
Riverside Unified School District
Riverside, California

Commission Reports

At the risk of being "negative" before talking about the "positive," I will indulge in a catharsis about my reaction, as a practitioner at the local level, to reports such as the Hornbeck/MacArthur one and others. As I read those reports, it is usually difficult to imagine which schools they might be describing. As reported to me by one professor at the University of California, Riverside, "it is not necessary for me to visit schools and programs - I study the data." This professor wrote a forty page "dissertation" on how to fix Chapter 1 without once visiting a school or talking to children, parents or staff. To me, this is the epitome of the arrogance too often displayed by researchers.

Regarding the report, "Making Schools Work for Children in Poverty, a New Framework prepared by the Commission on Chapter 1," which lists several assumptions about the current Chapter 1 program that need discussion. Among these are:

(1) Low standards, different from other children.

While this may be the case in some places, it certainly is not in the majority of schools/districts which I have visited as part of program quality review visitations. It is inaccurate to imply that low, watered down standards are the norm.

(2) Low level tests that compare students to one another, rather than to objective standards.

The reading comprehension and math applications sections of norm referenced tests look at more advanced skills; and many education professionals do want to know how their children are doing compared to others. I do support performance assessment but it is too fluid to be placed in statute at this time.

(3) Separate, pullout instruction away from other children.

In California, less that 60% of the Chapter 1 programs use any pull-out strategies. Of those that are, many are using the highly touted Reading Recovery program which is, of course, a pull-out. I believe that most programs employ an approach which includes in-class and pull-out as deemed appropriate by the school site staff. Another very successful program, Success For All, employs one-on-one tutoring which is also characterized as pull-out.

(4) Little training for employees.

The current law provides ample opportunity for strong staff development. The challenge is to help local staff be aware of the flexibilities in current statute. A "set-

aside" at the district level would be ludicrous; the sizes of budgets and how they differ would result in dollars being used in a foolish manner instead of being targeted on real needs of the local population.

(5) Money spread thinly.

I would agree that options need to be limited to districts in terms of processes for identifying and serving schools. This would result in greater concentrations of dollars in high-poverty schools .

(6) Detailed accounting for money.

I sincerely hope that the detailed accounting continues. We need to be held accountable for student outcomes as well as for the expenditure of the funds. "Accountability for results" might take too long and , in the meantime, Chapter 1 youngsters could have been cheated out of services appropriate to their needs.

(7) Successful schools lose money; little change in failing schools.

This is the greatest myth of all. In a school with a high level of poverty (which this report purports to endorse), the only way a school loses money is by "getting richer" not "getting smarter." For every child exited from Chapter 1, there are three standing in line to take his place. As for little change in failing schools, the Program Improvement provision in current law has had only three years to be activated; it is much too soon to doom it as a failure.

In response to the U.S. Department of Education's "National Assessment of the Chapter 1 Program, Reinventing Chapter 1: New Directions, printed in May 1993, I have the following comments:

1. I agree that service delivery guidelines should be established in such areas as depth and coherence of the curriculum, appropriateness of intructional methods, and expertise of staff. The next question is "then what?" The Department needs a delivery system which will serve as a broker for effective program strategies.

2. I agree with keeping the 75% threshold for Schoolwide while requiring schools to adopt high performance standards with continuation of the schoolwide project contingent on showing progress toward the standards. (This is not different to what we now do.)

3. I don't know what "loosening the strings" on other categorical programs means. I wish it would mean that HeadStart would abolish some of its 1960's mentality in its rules and allow for differing requirements depending on if you are an agency or a school district. But, I doubt this statement means that. What does it mean? Does it mean that we will "blur the lines" between Special Education and Chapter 1? I would hope not to

the extent that Special Education implementation would usurp the resources needed to effectively serve Chapter 1 children.

4. I strongly support the notion that we should target additional Chapter 1 resources to support integrated education and social services.

5. I support the recommendation that we remove barriers to program participation by students with limited English proficiency. The danger, however, is that encourages people to look at LEP students in a "compensatory" manner rather in recognizing that the child may be doing very well in his own language, but needs to learn English. However, many of the LEP children are in highly impacted Chapter 1 schools; to deny them service is foolish.

6. I do not agree that districts should be required to use at least a specified proportion of its Basic Grant for "extended learning time" programs. Districts need to make programmatic decisions at the local level based on their needs. Consider the district thas buses for integration and its complicated transportation schedules/costs in terms of requiring such a measure. **In general, I am opposed to mandated "set asides;" this intrudes upon the local decision making that is essential to program success.**

7. I support the notion that Chapter 1 services be coordinated with Perkins, Tech-Prep, and JTPA.

8. I strongly support the need for enlisting parents as full partners in their children's education.

9. I agree that a national evaluation strategy should use sampling techniques from schools with different concentrations of poverty.

10. I support the notion that funds should be earmarked to use in brokering assistance from various providers. The function of the Chapter 1 TACs should be to serve as brokers linking local district staff with broader networks of school instruction.

Other Recommendations

It is my firm belief that the current law contains all the flexibilities and measures of accountability needed. We must realize that time and resources constitute the answer to the challenge, not reinventing the wheel one more time. From 1966 to 1988, we had basically the same program intent and purpose. Only in 1988, did we make a major shift in looking at success in the regular program, success in basic as well as more advanced skills, and injecting the theme of accountability. Many of the things people say they want to now do in Chapter 1 are already allowable under the current program. For example, we are now able to include staff development as a major component in our school/district plans. We are able to train all staff who touch Chapter 1 children's lives by providing new strategies and techniques to help the students be successful in the core curriculum. We do not need a change in law to allow this. For example, we do not need a change in the law to allow districts to differentiate funding to schools and allocate the most funds to those schools and children most in need. We are already encouraged to do so in current statute and policy. For example, we do not need changes to allow us to target services to the total population in a school heavily impacted with poverty. We can already do this under the Schoolwide provision. We do not need changes to do most things people want to do in Chapter 1. What we do need is the impetus to propel us through the inertia to action stage. I believe the best way to do this is to get good information to all sites in a timely manner, along with the right kind of assistance to bring about consensus within a school community. When that school community has the will, improvements occur. All the legal language, reports, and standard setting will not bring about change without the people involved having the will to change and improve their program delivery.

The provisions in Hawkins-Stafford created a new beginning for Chapter 1. What we must realize is that it takes time and resources to overcome a natural inertia that had been with us for 22 years.

The current statute, signed April 1988, opened up many new frontiers including innovation, a schoolwide program we could participate in without matching funds, an amended purpose that shifted our thinking and our assumptions, and for the first time, accountability measures. The one thing that did not change was the targeting of funds to educationally disadvantaged children who attended schools impacted with poverty, and the supplement-don't-supplant measure that must accompany a program focused on certain children.

What do we need? There must be better ways to share the many fine program elements present in so many programs across the country. There must be a way to encourage districts to hire their best for Chapter 1 (including at the director level). I do not agree that the best way is to give all the responsibility to state agencies. When this happens, you have 50 different agendae. The locus of influence needs to be at the federal level with a consistent agenda. We need enhancement of the TACs so that they do more than provide technical information on testing. They need the resources to reach out and share program successes by training a corps of facilitators - those people who have the skills to go into a district and facilitate change - not demand it.

Dictating program settings, or a particular use of assessment tools, or a particular model do not bring about change. That classroom teacher will still close the door and does what he or she wants to do. Change only comes when the entire staff has ownership in the program design. No law in the world nor any printed standard in the world can make that happen. But people can.

The Commission on Chapter 1 and other groups would have you believe that Chapter 1 in its current form is inadequate to meet the challenges of the 1990's. To quote their foreword, "the challenge ...was to convert Chapter 1 from a law designed to teach poor children basic skills to one dedicated to spurring the kinds of educational change that would result in children born into poverty acquiring high-level knowledge and skills." This is precisely what happened in 1988 with the enactment of the Hawkins Stafford Elementary and Secondary School Improvement Amendments of 1988.

The Commission on Chapter 1 would have you eliminate the concept of student eligibility. It is urgent that you not abandon this concept. The percentage of poverty allowing Schoolwide could be lowered by ten percentage points (to 65); this would allow those schools to serve all children in the school as long as the identified participants did, in fact, make sufficient gains - to prove that services to identified children had not been diluted. I would oppose adjusting the percentage any lower. As I visit the Chapter 1 schools in my district, whose poverty ranges from 55% to 95% , it is abundantly clear that their needs are radically different. It makes a lot of sense to have an inclusive program when the poverty level is very high. In a school with 50 to 60% poverty, the same program would be more of the nature of general aid. This cheats and deprives our Chapter 1 children of the targeted services they need.

That Commission report also recommends that the focus be on student outcomes and not the expenditure of dollars. I submit that the focus has always been on how well the students do which is precisely the reason we need to continue to also look at how Chapter 1 dollars are expended. Why is it not reasonable to do both?

I urge the continued push toward accelerated integration of education and social services, along with preschool programs, to increase the probability of success in improving children's lives. It is clear that when we are talking about severely disadvantaged and imperiled children that we cannot depend on only one strategy, no matter how dedicated we are. To make an impact on these lives, we must include the family which means we need to collaborate with health, mental health, drug counseling groups, abuse counseling groups, employment departments, and others to make a real difference in a child's life and his future.

Funding Formula

There is an apparent need to increase the Chapter 1 funding, and to make adjustments in the formula and the intervals in which the formula is re-examined. I do support the idea of more concentration dollars, but I do not support the suggestion that only certain high-poverty areas be funded. In every school in almost every district, there are pockets of children with severe economic and educational needs. We must continue the universal nature, constituency, and support of the program.

I thank you for the opportunity of addressing the Committee and sharing my thoughts and beliefs.

Chairman KILDEE. Thank you very much for your testimony. Mrs. Toscano?

STATEMENT OF SUSAN TOSCANO, PRINCIPAL, FREMONT ELEMENTARY SCHOOL, RIVERSIDE, CALIFORNIA

Mrs. TOSCANO. Good morning, Mr. Chairman and committee members. Thank you for allowing me to come this morning and share my background and experiences and my opinion about the current Chapter 1 law. As you indicated when you introduced the panel, my name is Susan Toscano, and I am the principal at Fremont Elementary School in Riverside, California. I have been a principal 13 years. I have been in education 18 years. I have served in regular education programs, special education, bilingual education, and of course, categorical programs.

My current school is a preschool Head Start school, through sixth grade, with approximately 1,000 students. We are a schoolwide Chapter 1 program. We are a year-round school. We are an Edge City school district, on the outskirts of Los Angeles. I have a large monolingual Spanish-speaking population in my school, and 78 percent of my students qualify for free or reduced lunch.

We were recently awarded the California Distinguished School Award, and that is only given to 4 percent of the schools within our State. It is quite an honor. In large part, we received that award because of the work we are doing in coordinating our Chapter 1 program with our other programs within the school. We run an effective Chapter 1 program, which is coordinated with special education, preschool Head Start, parent outreach, and community service-based programs.

I am here to testify on behalf of not changing the current Chapter 1 law, because I believe you cannot regulate the vision of a principal or the passion of a teacher. Ineffective principals and teachers will use the current Chapter 1 law to tell you why they cannot achieve. Effective principals and teachers will use that same law and achieve their goals.

I currently run a very complex multifunded school, which includes a Success for All, Chapter 1 program, designed by Dr. Slavin from Johns Hopkins University. The curriculum is rich in literature, problem solving, and higher level thinking skills, and instruction is aligned to the regular classroom instruction.

Our students are assessed every eight weeks, and these tests, along with nationally norm-referenced tests, are used by the total staff at my school to make adjustments in the instructional program. Students are provided with small group instruction and one-to-one assistance with certificated teachers who have been specifically trained to meet the needs of children.

Our district supports this effort also by helping us disaggregate test scores to look at groups of learners. That is where we find pockets of learners who need additional assistance. We also give performance-based assessment tests, such as the test we use called Reading to Write.

Parents are encouraged to be involved in the school through the parent rooms, student-family support team, and community agency outreach programs. This program is an intensive early-grade intervention education program, designed to ensure that students are successful the first time. This is not a remediation effort. We do all of this in English and in Spanish, for both our students and our parents.

The reason this program is in place is because, one, we have the support from a district office that has a vision about what a quality Chapter 1 program should look like. I am funded, at my school, at a differentiated level because I am schoolwide. The children in my school receive more money than a regular Chapter 1 school.

I am provided with information about the most current instructional practices in the field, and my staff has been given the opportunity to have staff development necessary to recognize good programs, and the staff was then allowed to design the program based on our collective vision and the identified needs of our students.

The current Chapter 1 law was flexible enough to allow this to be put in place. Then what can be done at the national level to move toward quality programs? I do not believe that you can bludgeon people into greatness with the law. I think you can, however, provide a national vision of excellence for Chapter 1 programs and give them some sample models to look at.

In thinking about the work of this committee, I cannot help but believe that you now have a collective image of the best Chapter 1 programs in the country. Instead of rewriting the law, I would like to suggest that you produce a document describing these effective Chapter 1 programs as a guide and as a vision for directors, principals, and teachers around the country.

Then provide staff development to inservice people on how they can work within the current law to produce the programs which this document would describe. Set up technical centers around the country to show schools and school districts how to use their current resources to implement the desired programs. This is the best kind of staff development because you are sharing the vision and the models as examples to build from. I have been currently working with the Southwest Regional Lab in California in much the same way.

I have with me today a document produced by the California State Department of Education on elementary school reform, called "It's Elementary." This document, while not specifically designed to address Chapter 1 programs, describes the kinds of programs we would all like to see in place, and it could be a model for the kind of document I encourage you to write.

Why would I encourage you to change the focus of your committee's work? First, because when I talk to principals and district administrators from other districts, I am always amazed that they don't know what they can do with Chapter 1 without supplanting or otherwise misusing their dollars.

Second, because in all of my experience and education, the only thing which has produced a profound and lasting effect is staff development and the opportunity for staff members to take that newfound knowledge and design programs that reflect the needs of the students that they are serving. In rewriting the law alone, you will not provide the single vision of excellence necessary.

If I could quote Alice, from Alice in Wonderland, who said to the cat, "Would you please tell me which way I ought to go from here?" The cat said, "Well, that depends a great deal on where you want to get." "I really don't much care where, as long as I get somewhere," said Alice. "Then it really doesn't matter which way you walk," said the cat.

I speak to the vision, a clear and single vision.

In Riverside, Chapter 1 money has been seed money for restructuring, and the Chapter 1 schools are sharing their techniques and strategies with other staffs within the city.

In closing, may I make an impassioned plea again not to throw the baby out with the bath water, as we so often do in education, by again rewriting those laws. Let us implement what we already have in writing. Thank you.

Chairman KILDEE. Thank you, Mrs. Toscano, for your testimony. Ms. Wise?

STATEMENT OF EVANGELINE M. WISE, ASSISTANT SUPERVISOR, CHAPTER 1/STATE COMPENSATORY EDUCATION, PRINCE GEORGE'S COUNTY SCHOOLS, BOWIE, MARYLAND

Ms. WISE. Good morning. On behalf of Edward Felegy, Superintendent, and Carolyn J. B. Howard, Supervisor of the Chapter 1 program, I extend greetings to the Chairman and members of the committee.

It really is an honor to be here to talk about the successful efforts that we have been doing in Prince George's County as a result of the Hawkins-Stafford Amendment Act of 1988. It was only about a month ago when I came here to listen to the first hearing of my life. At that point, I listened to two friends of Chapter 1 who testified, and that was the Honorable Gus Hawkins and Eric Cooper of the National Urban Alliance for Effective Education.

Chairman KILDEE. Thank you for mentioning that. I would like to note that Mr. Hawkins is again here today.

Ms. WISE. What makes this opportunity truly meaningful for me, both personally and professionally, is that I have been involved with Chapter 1 since I came from the Philippines in 1967. I was a classroom teacher in Chapter 1 schools in San Francisco, East Palo Alto, and Bakersfield, California, before moving east, where I became a Chapter 1 resource teacher, instructional coordinator, and now an assistant supervisor of the Chapter 1 program. As you can see, I saw Chapter 1 evolve through the years, through 26 years of reauthorizations and amendments.

What I really would like to talk about is the impact that the Hawkins-Stafford Amendment Act has made to Chapter 1. Let me just say that the goal, as it was written, stressed that the purpose is "To improve the educational opportunities of educational deprived children by helping such children succeed in the regular program, attain grade level proficiency, and improve achievement in basic and more advanced skills."

Written as such, we really are helping students achieve in the regular curriculum and especially in more advanced skills. The way we see it in Prince George's County is that if we reconcentrate our efforts in educating children in more advanced skills, success in the regular program, grade level proficiency, and the attainment of basic skills will come very easily. However, those are probably the biggest barriers that we have started to address.

Albert Einstein always said that the world we have created is a product of our thinking. We cannot change it without changing our thinking. The biggest challenge was to change the thinking of the teachers and everybody else regarding Chapter 1 children, but I think we have made a breakthrough regarding that.

There was something else that happened during the Hawkins-Stafford Amendment Act that I think Mrs. Ochoa already mentioned, and that is the shift from fiscal accountability to educational accountability. Part of that law says that if schools do not achieve in the Chapter 1 program, then we have to identify them for program improvement.

During the first year of implementation, something happened. We found out that 87 percent of our schools did not achieve the Chapter 1 goals. That was the bad news. The good news was, 87 percent of our schools did not attain the Chapter 1 goals.

Why was that good news and bad news? It was good news because, for the first time, everybody paid attention to Chapter 1 and realized that our children's achievement was not merely Chapter 1's problem and responsibility but the entire school's. We moved on from there. Last year, we have doubled the number of achieving schools in Prince George's County.

Thanks to Hawkins-Stafford, we also had incredible fiscal flexibility. One of those eliminating the matching fund for schoolwide project schools. We have two schools in that category, Dodge Park and Langley Park, and Dr. Kelly is here to talk about the wonderful schoolwide project we have, right inside the Beltway, called Langley Park.

The 5 percent set-aside for innovative projects really was used very well in Prince George's County. We give incentive payments to schools that were achieving. We have three different approaches to parental involvement, extended day kindergarten, and providing minigrants to schools to help them with their program improvement.

I think what I really would like to talk about right now, just to showcase one of our innovative projects, and that is the Chapter 1/NUA Project. This provides intensive inservice training to principals, classroom teachers, and Chapter 1 staff in the development and integration of thinking skills in reading, writing, and mathematics. It is probably the most ambitious project of its kind.

During the first year, we had about 320 participants: Chapter 1 staff and regular classroom teachers. This year, we have close to 500. Next year, we are anticipating about 750 participants.

I would like to quote Jack Jennings in one of his articles. He said, "For an innovation to really take root, it has to be long-term, large scale, and well funded." That is exactly what we are doing with this project.

One thing about staff development that we are finding out is that school districts cannot do it by themselves. Universities can help, but that is very limited. What the National Urban Alliance for Effective Education, at Teacher's College, Columbia University, is doing is bringing together not only universities, not only private consultants, but also bringing in publishers, foundations, school districts, and telecommunication agencies.

I would like to say a few things regarding some of the recommendations by the study groups regarding the new reauthorization. We have high standards. The pull-out program, that is so highly criticized, needs to be looked at once more. In Prince George's County, yes, we use pull-out programs, but we also use three other service delivery models allowed by law, and that is in-class, add-on, and replacement.

Which one works the best? All of them. It depends on the school, the students, the teachers, and the subject matter being taught. The thing is, for it to work, we need to allow the schools and the teachers all the flexibility they need, because they really know how to solve the problem.

I am not even going to talk about testing. I think enough has been said about testing, except for one thing. My question is, Do we have to test all participating children, at each grade level, every year? The inordinate amount of time that we are using to test children can be used for instruction instead. In Maryland, State accountability testing is being done in grades 3 to 5 in elementary school. We then do it in grades 2 and 4 in Chapter 1.

Funding. All I can say is, we will be operating with $1.8 million less next year because of the 1990 census. We find that we have gotten poorer, and we are finding out that we are getting less money. I really do not know why that is so. Right now, we are serving only schools that are 44.4 percent poverty. The county average is 33.5 percent poverty. Yet, we cannot go down that low because we do not have enough funds.

I really did not come here to ask for more money. I am sure you hear that all the time. I just would like to leave you with two recommendations.

The first thing is, please think twice before you rewrite the Hawkins-Stafford Amendment Act. Yes, some parts need strengthening—the part about assessment, the process of identifying schools for program improvement, and possibly lowering the schoolwide requirement to 50 percent.

What I am afraid of is, what is going to happen if they rewrite the law? I am afraid we will be back to square one. Let me echo what Mr. Hawkins said last month during his testimony. He said, "It is not clear from reading the recommendations what becomes of what we already have, or the existing exemplary programs, or the efforts of outstanding talent. Do we build on these, reinvent, or strike out anew? We do not know."

My second recommendation is to ask this committee to take the leadership in school reform through Chapter 1. It will serve us well if you seize the opportunity and make Chapter 1 more than a funding source for compensatory education. Let Chapter 1 lead the way in systemic change and restructuring efforts. Lowering the schoolwide requirement to 50 percent will qualify more schools, at least 32 in Prince George's County alone. Entire schools will be upgraded, quality instruction will be ensured, and our children will have a better chance of being prepared for the 21st century. Thank you.

[The prepared statement of Evangeline M. Wise follows:]

Advanced Thinking for Every Chapter 1 Student

Evangeline M. Wise
Assistant Supervisor & Staff Development Coordinator
Chapter 1/SCE Program
Prince George's County Public Schools, Maryland

On behalf of Edward M. Felegy, Superintendent, and Carolyn J. B. Howard, Supervisor of the Chapter 1 program in Prince George's County I extend greetings to the Chairman and members of the Subcommittee on Elementary, Secondary, and Vocational Education. It is an honor to come before your committee and share some of our successful efforts that have resulted from the Elementary and Secondary Amendment Act of 1988, also known as Hawkins-Stafford Amendment Act. It has only been a month since I attended a hearing of your committee for the first time. I listened then to two friends of our Chapter 1 program testify before you. They are the Honorable Augustus Hawkins and Eric J. Cooper, Executive Director of the National Urban Alliance for Effective Education at Teachers College, Columbia University. I am honored and humbled to have a similar opportunity to speak to you.

What makes this opportunity personally and professionally meaningful to me is that I have been involved in Chapter 1 since I came to this country from the Philippines in 1967. I was a classroom teacher in Chapter 1 schools in California: First on Potrero Hill in San Francisco, then in East Palo Alto, and then in Bakersfield. Moving east I became a Chapter 1 resource teacher, then a coordinator, and finally the assistant supervisor in Prince George's County Schools in Maryland. I have experienced and helped implement the many changes the law required as it evolved over the past twenty-six years.

The Hawkins-Stafford School Improvement Act that reauthorized Chapter 1 in 1988 changed the course of Chapter 1 history. It created dramatic opportunities to meet the needs of the children in Prince George's County because the purpose of the legislation was changed from "one month growth for every month of Chapter 1 services" to a more stringent goal: ***To improve the educational opportunities of educational deprived children by helping such children succeed in the regular program, attain grade level proficiency, and improve achievement in basic and more advanced skills.*** Stated as such, the focus of the legislation is on student achievement in the regular school curriculum and on the attainment of more advanced skills. This is the way we see it in Prince George's County: If we concentrate our efforts to help children succeed in the advanced skills, their success in the regular program, grade level proficiency, and improvement in basic skills will easily follow. This has been our singular and focused mission for the past four years. It seems very ambitious but we feel we can do no less. Although the goal of developing thinking, problem solving, and reasoning has been part of school curricula since the time of Plato (Resnick, 1987), what is new in Prince George's County is to make it a part of every student's school program including minorities, the poor, and non-English speakers.

One of my favorite quotations that captures what we're currently doing in Chapter 1 was made by Albert Einstein. He said that, "*The world we've created is a product of our thinking. We cannot change it without changing our thinking.*" Having been part of most of Chapter 1 history, I'm very cognizant of what the Chapter 1 world has been like and the changes we needed to make in our thinking. The first step was to give a clear message to teachers and program staff that we can no longer continue doing what we have been doing. We must change and we gave our promise that we will be right there with them in this difficult process of change. I believe we have

BEST COPY AVAILABLE

kept that promise. The assumption that poor and impoverished children come to our school without knowledge and experiences is not true. Research is continuously proving to us that teaching to make up deficits is counter productive. The poorest and most deprived child has in fact prior knowledge and experiences that we can tap and use as a springboard for many of the advanced concepts and skills we're teaching.

There are other significant changes in the law that resulted because of the Hawkins-Stafford Amendment Act. There was a shift in focus from fiscal accountability to educational accountability. It meant that instead of always looking over our shoulders to make sure that we are complying to the strict standards of using Chapter 1 funds only for participating students, we had to make sure that every participating student is achieving high standards. As an accountability measure, we had to identify the schools that have not met the Chapter 1 goals and assist them in making program improvement plans. In 1989 when the Act came into effect, only 13% of our schools achieved the goal of 2 NCE's. This school year, the number has doubled to 26%. We expect that percentage to increase even more this year. I have some concern regarding the process used to identify schools for program improvement. But that is another matter that I hope I will get to later.

Although the authors of the 1988 Act were rather exacting in what they expected school personnel to do, they also had the foresight, never before seen in its twenty-three year history, to provide flexibility in the use of Chapter 1 funds. It allowed us to set aside 5% of our funds for innovative projects. It also removed the matching requirement to use funds to improve the program in the entire school if at least 75% of the students are poor. This became known as schoolwide projects. We have two schools in this category in Prince George's County: Dodge Park and Langley Park schools. Dr. Patricia Kelly is the principal of Langley Park. She is here with me today to speak of her school.

We have taken advantaged of every flexibility that the Hawkins-Stafford Amendment Act has given us. Our **innovative projects** have included the following:

- ***Project ACE:*** Incentive payment to schools that achieved the Chapter 1 goals. Each of the sixteen achieving schools received $1000 this year.

- Three approaches to increase parental involvement have been implemented. The first approach, ***Reading Beyond the Basal, A Literature-Based Instructional and Parent Involvement Project*** involves the use of trade books by Chapter 1 resource teachers during regular instruction. As a book is being read at school, a copy is sent home with the child to be read with the parent. Parents are trained in the fall before the start of the program on "paired reading," "echo reading," and other ways of helping their children at home. The second approach, ***Project Jump Start*** involves the training of parents in the summer to help prepare their kindergartners for first grade. The third approach, ***Cluster Parent Advisory Council***, provides training of parents in leadership skills so that they will be actively involved in the design of the Chapter 1 program. Participating parents also received training in the use of cognitive strategies that are being used in Chapter 1 classrooms.

- The ***Extended Day Kindergarten Project*** is in two comprehensive schools. Comprehensive schools provide only half-day kindergarten classes. This innovative project allows Chapter 1 students to stay the whole day for more rigorous and enriched instructional program.

- ***Mini Grants Project*** set aside $50,000 to assist schools in their program improvement efforts. Non achieving schools may submit a proposal for extra funds to implement their plans.

- The ***Chapter 1/NUA Project*** provides intensive inservice training to principals, classroom teachers and Chapter 1 staff in the development and integration of thinking skills in reading, writing, and mathematics. It is by far the most ambitious staff development project of its kind. The project involves 500 participants from 61 schools and will be going into its third year in 1993-94. It has become the centerpiece of our program improvement efforts to develop student higher order thinking and achievement in advanced skills. The multi-institutional collaboration among Chapter 1, the National Urban Alliance for Effective Education at Teachers College, Columbia University, publishers, foundations, school districts, and telecommunication companies is bringing expertise and experiences into the Chapter 1 classrooms. The project embodies our belief in the importance that principals and classroom teachers play in the academic success of every student. Central to the improvement of Chapter 1 is good instruction and the coordinated efforts between Chapter 1 and regular education staff. Although we hear of many successful programs for Chapter 1 students such as Reading Recovery and HOTS, our primary aim is to upgrade the quality of instruction in the whole school so that each participating student receives good teaching throughout the day.

The Hawkins-Stafford Amendment Act of 1988 has served the students of Prince George's County well. However, with the pending reauthorization come a barrage of recommendations. I would like to share with you my concerns regarding how the Act is being interpreted, criticized, and analyzed by some groups:

- **Standards.** The 1988 Amendment Act set the standards for improvement in basic **and** advanced skills, grade level proficiency and success in the regular program. How each school system operationalizes the law is a problem of interpretation, administration, and implementation, not the way it was written.

- **Pull out program.** In Prince George's County, we currently utilize all four service delivery models allowable by law: in-class, pull-out, replacement, and add-on. Which one is the best? All of them. It depends on the school the students, the teachers, and the subject matter being taught. Some schools use all four models to maximize Chapter 1 services to students with the greatest need. At the end of the first year of the Chapter 1/NUA project, participants realized that it takes more than 30 minutes to do a lesson that develops students' advanced skills. As a result, many schools are finding ways for Chapter 1 and regular teachers to collaborate to provide more than 30 minutes of instruction to Chapter 1 students. In one of our schools, the Chapter 1 teachers are teaming with the classroom teachers to teach Chapter 1 students while non-Chapter 1 students are pulled out of the room to work with the assistants. The more flexibility is given to teachers regarding instruction, the more creative solutions they come up with as long as the teaching objectives are clear.

- **Testing.** Haven't we said enough about the tyranny of testing? Of how standardized tests do not truly measure what students know especially in the area of advanced skills? How close are we in developing acceptable alternatives to standardize tests? I will not even attempt to address the issue of testing. The only

BEST COPY AVAILABLE

recommendation I have for you is to take into consideration the amount of time students spend in testing. Do we need to test every participating child every year for evaluation purposes? Or can we get valid results on the effectiveness of the program by testing only certain grade levels? In Maryland, state accountability testing is being done in grades 3 & 5 at the elementary level. Can Chapter 1 testing be done in grades 2 & 4?

- **Training.** The importance of staff development in program improvement is finally being recognized. However, some of the recommendations being given seem to be over simplistic and do not reflect the real world of teachers. Effective staff development is more than a self-help program for teachers. Designing, planning and implementing a staff development program require added resources and expertise. Three years ago, when we first instituted the mini-grants to assist schools in their program improvement efforts, we encouraged them to develop their own staff development programs. At least six schools applied for and were awarded grants. By the end of the year, most schools have not used up their funds. The teachers and principals found out that it takes so much time to plan and prepare for inservices, hire consultants, while carrying out their regular duties teaching children.

  It is not clear from the recommendations where staff development support will come from. The state departments of education rarely have the capacity to provide the appropriate personnel for technical assistance. Mandating a 20% set aside for staff development will invariably result in the proliferation of "instant" staff development organizations that will prey on the extra funds provided by Chapter 1. If staff development is going to be an important piece of the next reauthorization, capacity-building at the federal, state, and local levels must be put in place as soon as possible. One important lesson we have learned in the Chapter 1/NUA project is that the development of students' advanced thinking is a multi-institutional responsibility. It cannot be done by the school districts alone. They need the help from universities, private consultants, publishing companies, other school districts, the community, and federal, state, and local agencies.

- **Funding.** Our allocation for next year is being cut by 18%. Although there is a 15% cap on the amount that a program can lose in its basic grant in a single year, there is no cap on the concentration grant reduction. For this reason, we will be operating with $1.8 million less next year. According to the 1990 census poor children increased in the west and southwest. That might be true but our free lunch data also shows that poverty has increased considerably in our schools. The county's free lunch average is 33.5%. In the past we have served all schools that are at that level and above. Next school year, we can only serve schools with 44.4% free lunch and above. Fourteen eligible schools will not be served.

  How do we cope with a drastically reduced budget? Chapter 1 will be in ten fewer schools next year -- from 62 to 52 schools. We're losing twenty-one professional and thirty-five paraprofessional positions. Funds for state-of-the-art multi-media teaching stations currently in eleven schools have been cut to zero. Even the budget for our highly successful and nationally recognized Chapter1/NUA project has been reduced by 18%.

I apologize for departing from the main point of my testimony. I did not come here to ask for increased funding. But we're still reeling from the impact of our budget cuts. I hope that the loss is temporary and that you will find ways to restore what has been taken away by the 1990 census. We use the funds well. Come and visit us soon. You will be pleased with what you see.

I would like to leave you with two recommendations: First, please think twice before you re-write the 1988 amendments. Yes, some parts can be strengthened such as performance assessment, the process of identifying schools for program improvement, and lowering the school wide requirement to 50%. However, the educational accountability, flexibility, and high standards that are being recommended are already included in the Act. What seems to be needed is an aggressive way to inform our educators and other stakeholders about the tremendous opportunities available in the 1988 amendments. I would like to echo Mr. Hawkins' testimony a month ago: "*It is not clear from reading the recommendations what becomes of what we already have, or the existing exemplary programs, or the efforts of outstanding talent. Do we build on these, reinvent, or strike out anew?*" I do not wish to go back to square one now that our teachers have bought into the new standards, higher student expectations, and renewed sense of commitment. Thair enthusiasm is a clear benefit to our children.

My second recommendation is to ask this committee to take the leadership in school reform through Chapter 1. It will serve us well if you seize the opportunity and make Chapter 1 more than a funding source for compensatory education. Let Chapter 1 lead the way in systemic change and school restructuring. Lowering the school wide requirement to 50% will qualify more schools (32 more schools in Prince George's County alone). Entire schools will be upgraded, quality instruction will be ensured, and our children will have a better chance of being prepared for the twenty-first century.

Chairman KILDEE. Thank you very much, Ms. Wise.

Dr. Kelly?

STATEMENT OF PATRICIA A. KELLY, PRINCIPAL, LANGLEY PARK-McCORMICK ELEMENTARY SCHOOL, HYATTSVILLE, MARYLAND

Ms. KELLY. Mr. Chairman and members of the subcommittee, I am honored to be invited here today to testify concerning the numerous educational options available to schoolwide Chapter 1 programs such as ours.

For the past three years, we have operated one of two schoolwide projects in our district. I would like to provide context for my testimony by describing the community and student population of Langley Park-McCormick.

The Langley Park community has a high concentration of students from low-income families. Our neighborhood is beset by crime and violence associated with drug trafficking and use. The 820 students of Langley Park-McCormick represent 35 countries and speak 25 languages. Sixty-four percent of our students are foreign born and speak a language other than English. Although the foreign student population is diverse, it is predominantly Hispanic.

Our school also serves the homeless children living in the Prince George's County family shelter. During the past school year, the student mobility rate was 65 percent. Finally, a total of 92 percent of the children receive free or reduced lunches.

Each September, over one-half of our entering students in grades prekindergarten through five do not speak English, and many have never attended school in their homelands. To many in the community, our school has become an oasis of help and hope. We are not only a group of people working together in harmony, but we have also created a caring, multiethnic nurturing environment, where our children succeed despite the odds against them.

Three years ago, our school qualified to become a Chapter 1 schoolwide project. From that time on, we have been able to drastically change the types of services we provide to our students. The initial and most drastic change was from a mindset which differentiated between "regular" children and Chapter 1 students, and whose responsibility their separate education was.

Our school-based management team addressed the situation by incorporating the Chapter 1 program and its students' needs into a comprehensive school improvement plan. This new design espoused the belief that "all children can learn" and held teachers and administrators accountable for the education of all our student population. Chapter 1 children are currently expected to attain the identical high standards set for all our students.

As a result of this plan, emphasis was shifted from providing Chapter 1 children with basic skills instruction to providing practice in developing higher-order thinking skills. We also went from providing a pull-out program, where the neediest children were provided services by teacher assistants, to an in-class inclusion model, where the teacher is now responsible for all her students' educational needs.

Previously, the students in our school were ability grouped, with virtually all the Chapter 1 students being placed together in one classroom per grade level. We have done away with this tracking practice and have created heterogeneous classes, where the Chapter 1 students now have role models and interact with their peers through cooperative learning activities.

As mentioned above, flexibility is an underlying principle of the Chapter 1 legislation. Therefore, in addition to required standardized tests, our school based management team devised a separate set of measurable outcomes which determine our accountability. Such measures as grade level proficiency in reading, reading and math grades, pupil attendance rates, parent attendance at conferences, reading journals, and math portfolios are currently used for assessment and evaluative purposes.

Over the three years, parent involvement has evolved into parent training sessions, providing parents with materials and strategies to increase their children's learning at home. Most of the innovations mentioned above would not have been possible without a sustained staff development program.

Three years ago, my staff participated in four separate one-shot one-hour training sessions during the school year. Over the course of the next three years, we have placed emphasis on and financial resources into sustained professional development. Regular classroom teachers, paraprofessional staff members, and school administrators have jointly selected professional development opportunities which pertain specifically to enabling us to achieve our school improvement goals.

Staff members realize that we must change our traditional ways of teaching if truly all children are to learn. Chosen professional development activities included developing metacognition, cooperative learning, providing equity and quality in instruction, and integrating the curricula, to name a few. As all of the adults are involved in expanding their teaching repertoires, instruction improved, and collegiality resulted.

Over the past two years, 20 staff members have been involved in training for the improvement of students' cognitive performance with the National Urban Alliance for Effective Education. Out of this relationship, a peer coaching model between two elementary schools has emerged. This collaboration has provided the time for sharing ideas and improving performance with shared insights into learning.

Staff development opportunities are not only provided but integrated with current theory and educational practices. Periodic observations are conducted by administrators and colleagues.

The additional funding to our school, on becoming a schoolwide project, has enabled us to obtain the following resources: full-day kindergarten, after-school academic coaching programs, a summer school program, translation services, staff development opportunities, a parent-community assistant, and a schoolwide facilitator. Given the needs of our children, none of these offerings should be considered discretionary.

I appreciate the opportunity to appear here today and acknowledge the contributions that the schoolwide Chapter 1 program has made in the lives of many poor, yet deserving, school children in the Langley Park community.

[The prepared statement of Patricia A. Kelly follows:]

Statement of Patricia A. Kelly, Principal, Langley Park-McCormick Elementary School, Hyattsville, Maryland

Mr. Chairman and members of the subcommittee:

I am Patricia Kelly, the principal of Langly Park-McCormick Elementary School in Prince George's County, Maryland. I am honored to be invited here today to testify concerning the numerous educational options available to Schoolwide Chapter 1 Programs such as ours. For the past three years, we have operated one of the two schoolwide projects in our district. I would like to provide context for my testimony by describing the community and student population of Langley Park-McCormick.

The Langley Park community has a high concentration of students from low-income families. Our neighborhood is beset by crime and violence associated with drug trafficking and use.

The 820 students of Langley Park-McCormick represent 35 countries and speak 25 languages. Sixty-four percent (64%) of our students are foreign born and speak a language other than English. Although the foreign student population is diverse, it is predominantly Hispanic (75 percent). Our school also serves the homeless children living in the Prince George's County Family Shelter. During the past school year, the student mobility rate was 65 percent. Finally, a total of 92 percent of the children receive free or reduced lunches.

Each September, over half of our entering students in grades prekindergarten through five do not speak English, and many have never attended school in their homeland. To many in the community, our school has become an oasis of help and hope. We are not only a group of people working together in harmony, but we also have created a caring, multiethnic nurturing environment, where our children succeed despite the odds against them.

Three years ago, our school qualified to become a Chapter 1 Schoolwide Project. From that time on, we have been able to drastically change the types of services we provide to our students. The initial and most drastic change was from a mindset which differentiated between "regular" children and the Chapter 1 students, and whose responsibility their separate education was. Our SBMT (School Based Management Team) addressed this issue by incorporating the Chapter 1 program and its students' needs into a comprehensive School Improvement Plan. This new design espoused the belief that "All children can learn," and held teachers and administrators accountable for the education of *all* of our student population. Chapter 1 children are currently expected to attain the identical high standards set for all our students. As a result of this plan, emphasis was shifted from providing Chapter 1 children basic skill instruction to providing practice in developing higher-order thinking skills.

We also went from providing a pull-out program, where the neediest children were provided services by teacher assistants, to an in-class inclusion model, where the teacher is now responsible for all her students' education needs. Previously, the students in our school were ability grouped, with virtually all the Chapter 1 students being placed together in one classroom per grade level. We have done away with this tracking practice and have created heterogeneous classes, where the Chapter 1 students now have role models and interact with their peers through cooperative learning activities.

As mentioned above, flexibility is an underlying principle of the Chapter 1 legislation. Therefore, in addition to required standardized tests, our SBMT devised a separate set of measurable outcomes which determine accountability. Such measures as grade level proficiency in Reading, Reading and Math grades, pupil attendance rates, parent attendance at conferences, Reading journals, and Math portfolios are currently used for assessment and evaluative purposes. Over the three years, parent involvement has evolved into parent training sessions, providing parents with materials and strategies to increase their children's learning at home.

Most of the innovations mentioned above would not have been possible without a sustained staff development program. Three years ago, my staff participated in four separate "one-shot" one-hour training sessions during the school year. Over the course of the next three years, we have placed emphasis on and financial resources into sustained professional development. Regular classroom teachers, paraprofessional staff members, and school administrators have jointly selected professional development opportunities which pertain specifically to enabling us to achieve our school improvement goals. Staff members realize that we must change our traditional ways of teaching if, truly, *all* children are to learn. Chosen professional development activities included developing metacognition, cooperative learning, providing equity and quality in instruction, and integrating the curricula, to name a few. As all of the adults were involved in expanding their teaching repertoires, instruction improved, and collegiality resulted.

BEST COPY AVAILABLE

Over the past two years, 20 staff members have been involved in training for the improvement of students' cognitive performance with the National Urban Alliance for Effective Education. Out of this relationship, a peer coaching model between two elementary schools has emerged. This collaboration has provided the time for sharing ideas and improving performance through shared insights into learning.

Staff development opportunities are not only provided but integrated with current theory and educational practices. Periodic observations are conducted by administrators and colleagues.

The additional funding to our school, on becoming a Schoolwide Project, has enabled us to obtain the following resources:

- Full-day kindergarten
- After-school academic coaching programs
- Summer school program
- Translation services
- Staff development opportunities
- A Parent-Community Assistant
- A Schoolwide Facilitator.

Given the needs of our children, none of these offerings should be considered discretionary.

I appreciate the opportunity to appear here today and acknowledge the contributions that the Schoolwide Chapter 1 Program has made in the lives of many poor, yet deserving, school children in the Langley Park community.

Chairman KILDEE. Thank you very much, Dr. Kelly.

Mr. Force?

STATEMENT OF RICHARD M. FORCE, EXECUTIVE DIRECTOR, MAIN LINE PROJECT LEARNING, BROOKLINE SCHOOL, HAVERTOWN, PENNSYLVANIA

Mr. FORCE. Before commencing with my testimony, permit me to express my deep sense of both honor and humility at being here this morning. It is a privilege of the highest order to address what I believe is the corporate embodiment of the people of this great Nation. While I may later disagree with your actions, it does not dilute my profound respect for what you and your colleagues attempt to do within these walls.

Mr. Chairman, my oral remarks will be based on previously-submitted written testimony, which I request be placed in the permanent record of these proceedings.

Chairman KILDEE. Without objection, your testimony and the full testimony of the other witnesses will be included in their entirety.

Mr. FORCE. Thank you.

While I am a past president and current board member of both the Pennsylvania Association of Federal Program Coordinators and the National Association of Federal Education Program Administrators, I am here primarily as the local Chapter 1 project director for a consortium of three suburban school districts outside of Philadelphia.

One of eight such consortia in Pennsylvania, the cooperative was established in 1965 to address cross-political-boundary demographics, to ensure adequate administrative oversight, and to reduce administrative costs. My project's 1992–1993 allocation is $993,335. While our percentage of low-income children is low, the density of our population yields a significant number of entitlement children, which places two of my districts well above the State average of approximately $200,000 per school district.

It should be noted that 50, or 10 percent, of the 501 local school districts in the Commonwealth of Pennsylvania receive 65 percent of the State's Chapter 1 allocation under current law. The project serves eligible students in 28 public and non-public buildings as well as three neglected and delinquent institutions.

While similar in many respects, each district has its own approach to meeting the needs of their respective students. Consequently, my job is to creatively use the statute, regulations, and State guidance to accomplish what each of my districts believes is in the best interest of our educationally disadvantaged students.

As a local coordinator, with over 20 years of experience in Chapter 1, I can state without hesitation that I believe the current law provides each of my districts the flexibility to employ whatever pedagogical methods, in whatever instructional setting, they deem appropriate in order to meet the needs of the children we serve. We have pull-out programs, we have in-class models, and combinations of the two.

The current statute does not require drastic overhaul in order to meet its objectives. Most definitely, it should not be reconstituted as a vehicle to impose a simple and, given past history, undoubtedly transient one-size-fits all pedagogical approach. Within the context of serving all of the Nation's educationally disadvantaged children, it should be refined to encourage and foster the flexibility to discover what works and hold us accountable to prove it.

While oversimplified for reasons of time, I believe a successful Chapter 1 program must be based on an intimate relationship between the building's base program and what Chapter 1 provides a student to be able to succeed in that program. The specifics of what Chapter 1 does must arise from a thoughtful analysis, rather than the application of a pedagogical ideology to the challenges presented by particular children. Both administration and staff must engage in an ongoing analysis as to evaluating what they do in light of demonstrable results.

Finally, the cultivation and utilization of active parental support of, and involvement in, the education of their children is vital. Mandates and set-aside are antithetical and counterproductive to the flexibility required to implement these factors.

What impedes my ability to reform or restructure? At least in Pennsylvania, we cannot blame the State, the auditors, or the current law, although they, too, can be improved, and we have our shares of fusses with the State Department. I note those in my written testimony. What impedes us is the will to change.

After all, most polls show that the population believes education in the country is poor, but their own schools are pretty good. The current law's institution of minimum standards and the program improvement process has provided Chapter 1 with more respectability than any single provision in my memory. Within these accountability clauses lies, in my opinion, the true potential to impact upon my will to reexamine what I do that may not be successful. They should be refined and strengthened.

Encourage meaningful research and dissemination of alternative assessments that are both reliable and valid. It is easy to set high standards but difficult to establish challenging ones that are, with effort, attainable. I am not a statistician but would welcome a standard that constantly focuses on the lowest achieving buildings, rather than a specific score.

Any specific measures and standards should be understood and acceptable. The degree to which they are esoteric and difficult to interpret is counterproductive to their acceptance and utility as a motivation to change at the local level.

As you deliberate, avoid the lore of false dichotomies. Basic and higher-order thinking skills are intimately related and simply must be taught in tandem. Competence and self-esteem are not mutually exclusive.

As you deliberate, avoid the seduction of shibboleths and slogans that advocate a quick fix or declare the discovery of the Holy Grail. The American education landscape is too broad and too diverse in its flora to be cultivated and brought to bloom by any single educational method.

Therefore, I would urge this committee to grant us at the local level the flexibility to address the various needs of all our educationally deprived children. In return for this freedom, hold us accountable by means of a valid and vital system of accountability for demonstrable results. Do not succumb to the slogans of the day but create a law that can be adapted to changing conditions, by permitting us to freely discard what does not work and adopt either new or proven approached. Finally, retain the universality of the program as that is the source of its strength and its future. Thank you.

[The prepared statement of Richard M. Force follows:]

Richard M. Force

Introduction

My name is Richard M. Force, Sr., and I am the Executive Director of a Cooperative ESEA Chapter 1 Project called Main Line Project Learning. In addition to this professional position, I am also a past president of both the Pennsylvania Association of Federal Program Coordinators and the National Association of Federal Education Program Administrators. I am the current Executive Secretary of the state organization and sit on the Board of Directors of the national organization. I have been a member of Pennsylvania's Committee of Chapter 1 Practitioners and participated in various aspects of the 1988 Chapter 1 Modified Negotiated Rule-Making Process as well as in drafting the Federal Chapter 1 Policy Manual.

While my testimony focuses upon my local responsibilities described below, where appropriate, I have commented on conditions within my state.

I. Main Line Project Learning

Main Line Project Learning is a cooperative ESEA Chapter 1 project and is an administrative convenience for its three constituent school districts. It is not a private corporation but a voluntary association of the Haverford, Lower Merion and Radnor School Districts which jointly submit a Chapter 1 Application. Each participating school district assumes the role of LEA for the Project on a three year rotation.

Pennsylvania has approved such "co-ops" since the inception of ESEA in 1965. There are eight such cooperatives in the state. Participating districts are generally similar in their geographic and demographic characteristics. Therefore, the eight cooperatives are either composed on rural school districts or suburban school districts.

Main Line Project Learning was formed in 1965-66 to address (a) the target population which in large measure straddles the political boundaries of the respective districts; (b) simplify the provision of services to non-public school participants whose boundaries are not co-terminus with those of the districts; (c) assure adequate administrative and financial control vis a vis compliance issues; and (d) pool and therefore reduce administrative costs.

The three participating school districts are suburban in nature with two sharing a common border with Philadelphia. While predominantly upper Middle Class communities with areas of considerable wealth, each district also displays significant racial, ethnic and religious diversity as well as pockets of low-income residents.

The population of the three districts combined is 136,554 with an entitlement "poor count" yielding a 1992-93 Chapter 1 budget of $993,335. The average school district in Pennsylvania receives less than 200,000 in Chapter 1 funds.

While the Chapter 1 funds are applied for in a single application, they are expended according to the allocation and needs assessment of each district. The Project offers programs in Reading, Mathematics and a specialized language program at a Neglected and Delinquent Institution.

Chapter 1 programs are currently operated in 28 public and non-public schools as well as three Neglected and Delinquent Institutions.

2,685 or approximately 20% of the 13,426 enrollment of grades served by the Project are eligible for Chapter 1 services. In 1992-93 the Project actually serves 1,039 or 38% of those eligible. The average pre-test percentile in Reading is 25. 85% of those students served attend public schools and 15% attend non-public schools.

Methods and materials of instruction and the setting for that Chapter 1 instruction is determined by the curricular leadership in each respective district.

The Project is subject to the provisions of the Single Audit Act that requires a full program compliance audit and has successfully and consistently met these requirements each year.

Currently four of our five secondary schools have qualified for Chapter 1 Program Improvement. In 1990-91 two elementary schools and a secondary school qualified. Both of those buildings exited Program Improvement based on 1991-92 evaluation results.

While the percentage of low-income children is low, that percentage when applied to a large population results in a significant number of students. Each of the three districts is somewhat above the State average district allocation, but it should be noted that in Pennsylvania 50 or 10% of the 501 local school districts receive 65% of the Chapter 1 funds. Consequently, we favor the continuation of the traditional universality of Chapter 1 which is in complete agreement with the position taken by our state's Secretary of Education.

Enclosed are two charts outlining the potential impact of targeting as well as average Chapter 1 evaluation gains for the two Congressional Districts in which the participating school districts are located. Also included in the appendix is a three year summary of our evaluation data by building.

In addition to a variety of administrative and housekeeping tasks, my principle duty is to define ways that each district can provide the services it deems most appropriate for their eligible students in a legal fashion. Therefore, my job is to make Chapter 1 serve the purposes of the district rather than let the Chapter 1 system dictate what those services, pedagogical methods, and/or venues of instruction are to be. Consequently, the latitude of the law in regard to flexibility and creativity is very important to me.

While my three districts are similar in many ways, they each have their own idiosyncrasies, priorities, and approaches. Hence, I have considerable practice in the use of the statute and various federal and state regulations to address locally determined needs.

II. Success: Hallmarks and Impediments

We believe that we are being successful in addressing the needs of our educationally disadvantaged Chapter 1 students in our 28 buildings and 3 Neglected and Delinquent Institutions. While there is always room for improvement and we have our failures, our students demonstrate substantial progress enabling them to to function without support in the regular program.

BEST COPY AVAILABLE

A. Hallmarks

In my opinion, the most salient reasons for the success we achieve are the degree to which the Chapter 1 and the regular program are related to each other; the dominance of thoughtful analysis over educational ideology; a commitment to ongoing self-analysis on the part of administration and staff; and parental support.

Relationship: Regular Program and Chapter 1

Two of the three school districts in the Project employ Whole Language as their base language/arts program while the third uses Open Court which is a more structured approach. It should be emphasized that there are variations in the implementation of Whole Language between the two districts that employ that approach as well as variations between buildings with those districts.

These basic approaches have been selected because the districts, upon considerable reflection, believe they will yield the best results for the most children.

Chapter 1 is a program that addresses the needs of children who for whatever reason are not succeeding under these basic approaches. However, the students receive their principle instruction by means of this system. Consequently, it is imperative that Chapter 1 while employing a different approach is closely related to the skills and concepts being stressed in the regular classroom. This relationship is critical in order to reduce confusion on the part of an already baffled student and to insure that the child understands the relevance of their work in Chapter 1 to what they know is expected of them in the classroom. This is true whether the Chapter 1 instruction is a "pull-out" or an "in-class" model.

Our basic approach to insuring that this relationship is established and maintained is that the Chapter 1 instructional program is administered by the district paid Reading Specialist who is responsible for the entire Language Arts Program of the building who, in turn, fosters and maintains the relationship between the Chapter 1 staff and the regular classroom teachers.

Analysis Vs. Ideology

While each of our district's have a basic approach to Language Arts instruction, they do not regard it as a "magic wand". Therefore, when a student does not respond appropriately, the search begins for alternative methods to help the child succeed. This willingness to entertain the potential efficacy of strategies outside of the basic program is a critical element of success. Much of everyone's time is spent insuring that this thinking beyond the dictates of the base program takes place in regard to specific students. While oversimplified, the following statement by one of our Chapter 1 staff is illustrative: "When the district did Open Court, Chapter 1 was Whole Language. Now that the district does Whole Language, we do phonics." Chapter 1 is an eclectic approach within the larger context of the regular program.

Self-Analysis - Administration and Staff

Each of the districts in the Project are committed to high standards of student achievement. Each in their own way engages in a constant process of self examination in regard to how well the parts as well as the whole are addressing and meeting these standards. One of the districts has a system of "5 Year Curriculum Cycles" where every aspect of the curriculum is thoroughly reviewed both internally and by outside consultants and then modified on the basis of the analysis.

My superiors have great confidence in the quality of the districts' programs, but are equally concerned to avoid a sense complacency. Consequently, they are both skeptical and ever vigilant. One of my Superintendents refers to our Chapter 1 students as the "disenfranchised of the district" and closely monitors the results of the program especially by building. All three districts are committed to insuring that nobody can legitimately claim that you receive a better education at School A than at School B. Consequently, Chapter 1 evaluation results by building are examined in the light of other evaluation data as yet another instrument in assessing the building's performance in relation to the district as a whole. Chapter 1 Program Improvement is viewed as but another tool in this constant focus on quality control.

Parental Support

Based on our annual Chapter 1 parental involvement assessment surveys, the parents indicate that the program is both beneficial to their children and that their students enjoy the experience. The "enjoyment" stems, in the parents' opinion, from an increased sense of self-confidence based on improved performance.

I have never met a parent who does not want their child to succeed. Parents have differing views of what "success" is, the need for education, and their role in the process; but it is critical to build upon and develop this support. As with the students themselves, you must accept the parent as they are and work to expand their vision for their own children. It is the development of interpersonal "acceptance" between "institution" and "client" that is the critical factor.

B. Impediments

Although it is tempting to claim that such external forces such as the State, auditors, and Technical Assistance Centers, etc. impede our ability at the local level to "succeed", in my view, and in relation to my districts, this is not the case. The primary impediment is complacency and/or a lack of will in the face of other competing interests. Most of the polls I have read indicate that people have considerable concern about the quality of education in the nation at large but believe their particular schools are doing a good job.

1. External Forces

While "local control" of education is a valuable component of the American education system, local school districts obviously operate within a larger framework of external authorities. This fact is by no means limited to the operations of ESEA Chapter 1. The tension between them especially where their authorities overlap is, in my view, a good system of checks and balances. However, their impediment to success is when their power is out of balance and accessibility is restricted. In my opinion the 1988 Reauthorization made major strides in addressing both of these factors in regard to Chapter 1.

State

We have been very fortunate in Pennsylvania that the Pennsylvania Department of Education has diligently and thoroughly implemented the spirit as well as the letter of the law regarding the "Committee of Chapter 1 Practitioners". In light of the statutory provision that forbids states from dictating modes of instruction and grades to be served, our Committee, of which I am a member, very carefully reviewed every state requirement to maximize local flexibility in terms of program design. In addition, all state Chapter 1 forms were reviewed with the objective of streamlining the paperwork burden without sacrificing the mutually recognized importance of reporting especially in the area of Evaluation.

Of course, there have and continue to be strong debates on particular points. Nevertheless, there has been, at least in Pennsylvania, strong shifts toward local involvement in creating State Guidance whereas before 1988 one could only react to State Directives after they were promulgated.

It is my understanding that the implementation of the Committee of Chapter 1 Practitioners varies in quality as well as detail from State to State. I would urge that the Reauthorization strengthen so as to encourage the further development of Committee of Chapter 1 Practitioners with its inherent accessibility to those who make the rules which govern how we function at the local level. For the same reasons the provisions in current law relating to the Modified Negotiated Rulemaking process should be retained vis a vis the creation of Federal Regulations.

Auditors

Under the Single Audit Act our locally selected independent auditors perform both the fiscal and program compliance audits. Approximately 20% of Pennsylvania's 501 local school districts are, due to the size of their grants, subject to a full program compliance audit. Two of my three districts would qualify independently, and therefore, the Project itself undergoes an annual Program Compliance Audit.

The Pennsylvania Comptrollers Office voluntarily elected to create a "Committee of Practitioners" to assist in revising the State's "Single Audit Guide" to accommodate the 1988 Reauthorization. While very specific in the procedures that auditors should follow, the Single Audit Guide is quite flexible in permitting the type of documentation used to establish Program Compliance.

There has been and continues to be a problem with the inflexibility of some local auditors in various parts of the state. While this, to date, has not been a problem for my Project, the lack of meaningful training for the auditors in terms of Program Compliance is a problem. The individual auditor frequently has no experience beyond financial audits, and, therefore, favors excessively narrow interpretations of Federal and State Guidance. Usually these problems can be overcome on-site or on appeal, but the process can be time-consuming. Hence, in some places, the audit process might impede an effort to adopt new or different approaches to the program for "audit" reasons.

I would encourage, either in the Reauthorization of ESEA or other appropriate legislation, the support for the training of individual auditors as well as firms in the area of Program Compliance with an emphasis on the multiple possibilities for documenting compliance with a given rule.

Technical Assistance Centers

Technical Assistance Centers are viewed as a resource rather than a regulatory body. Consequently, they tend to enhance rather than impede the implementation of new or different instructional approaches. Their utility is compromised to the degree to which they are perceived as advocates for a particular point of view to the exclusion of all others. The sessions provided by our Technical Assistance Center at the annual Pennsylvania Federal Programs Conference are well attended and receive very favorable comments on the Conference Evaluation forms.

2. Internal Forces

For districts such as those who comprise our Cooperative Chapter 1 Project the educationally deprived do not constitute a majority of the student population. Therefore, it is possible to focus on where one is doing well and pay less attention to those who "fall through the cracks". In addition, the community at large establishes certain objectives and standards for its schools which exert a powerful influence on where the district will place its emphasis. These factors are a critical force in addressing the need for "change", "reform" or "restructuring" at the local level.

Focus on Educationally Disadvantaged Students

The categorical nature of Chapter 1 with its focus on the educationally disadvantaged student including eligibility criteria and most importantly its Evaluation, Minimum Standards, and Program Improvement Provisions are a very potent tool to increase a local building and district's awareness of these children and their needs. The awareness leads to greater attention. Given the funds, of course, it also produces specific programs. The evaluation system coupled with the Minimum Standards and Program Improvement provisions of the law directly confronts the district with whether or not it is "succeeding" or "failing". How we at the local level are inclined to view and act upon this information is critical. Our "will" to do something beyond mere compliance cannot be legislated. However, our failure to meet a set of measures and standards which we have developed and in which we have confidence, provides a strong impetus to examine alternative approaches. If this does not happen, the current law mandates a State role which most districts would prefer to avoid. Consequently, in my opinion, the 1988 Evaluation, Minimum Standards and Program Improvement provisions are by far the most powerful impetus to meaningful change in regard to educationally disadvantaged children since the initial legislation was enacted in 1965.

The current standards, measures and identification of buildings for Program Improvement can and should be strengthened in order to insure that they more effectively focus attention on the needs of eligible students and produce meaningful, demonstrable results. This topic will be further addressed below.

Community Standards

While individual professional will is of vital importance, the priorities of local school districts are also shaped by community factors which define the perameters of a districts' priorities and impetus or will for change as it relates to educationally disadvantaged children. The local tax rate, admissions to selective colleges, "back to basics", restoration of "discipline" and a host of other community values can impact upon where a local district places its emphasis. Again, the provision of Chapter 1 automatically places the needs of educationally disadvantaged children on the list and contains provisions to encourage their serious consideration. The degree to which that concentrated focus is diluted by a legislation oriented more toward "general aid" in the name of flexibility, is the degree to which I can use the funds to address other concerns. The pressure to do so can be considerable.

Consequently, while I believe certain aspects of the current law need modification to engender greater success, the basic elements of ESEA provide a valid mix of "carrots" and "sticks" to keep the attention of myself and my colleagues on the needs of the students the law expects and demands us to serve.

III. Flexibility

As a local coordinator with over 20 years of experience in Chapter 1 I can state without hesitation that I believe my districts have the flexibility to employ whatever pedagogical methods in whatever instructional setting they deem appropriate in order to meet the needs of eligible educationally disadvantaged children.

While the 1988 Reauthorization restricted the state's powers to dictate the details of "size, scope and quality", amendments to both the Federal Regulations and the Federal Chapter 1 Policy Manual have broadened the possibilities of Chapter 1 services in regard to the inclusion of Special Education students and the use of "in-class" models.

The only restrictions on this flexibility is the necessity to maintain the primary focus on the needs of the eligible student, supplement the regular program, and the courage to risk "failing" new measures and standards one might feel compelled to develop and employ. The former, in my view, is a perfectly valid check on the temptation to provide "general aid". The later, at least in Pennsylvania, would be examined in light of what one was attempting to do rather than as a punitive measure for inexperience.

Of course, any choice carries with it certain consequences. For example, a "pull-out" program permits one to draw children from a variety of classrooms, thus increasing the numbers of children served. Since a Chapter 1 staff person cannot be in more than one place at a given time, the "in-class" model in a heterogeneously grouped classroom will tend to reduce the number of children served. However, the important fact is that we have the option to do either or a combination of the two. Our secondary programs tend to be "in-class" while our elementary efforts are a combination of "in-class" and "pull-out". Any attempt to mandate a particular model will, in my view, restrict rather than expand the degree of flexibility we now enjoy at the local level - if we wish to use it. Therefore, the new legislation may wish to encourage the use of alternative approaches, but it should not mandate any single pedagogical method or instructional setting.

The efficacy of our choice of method and venue at the local level should be proven through the Evaluation and Minimum Standards process.

The issue of flexibility extends beyond the limits of Chapter 1 to the matter of "clustering" complimentary federal programs. While choosing to maintain Special and Migrant Education as separate entities, the Pennsylvania Department of Education has organized its Division of Federal Programs so that the Chapter 1, Chapter 2 and Title 2 (Eisenhower Math/Science Program) are clustered and integrated. The State encourages similar efforts at the local level. Again, such configurations may be encouraged by the new legislation as a means to foster such innovation, but not mandated so as to limit flexibility at either the state or local level.

The matter of staff in-service training is frequently mentioned as a possible mandate of the new law. Mandates and set-asides inhibit rather than foster flexibility. The choice for many small rural school districts as well as suburban ones might have to be the reduction of direct services to children in order to provide in-service which can be obtained through other local or state funds. The Pennsylvania Department already uses significant sums of its State Chapter 1 administrative funds to provide staff development, training the the coordination of Chapter 1 with Special Education and Early Childhood, and in-service in the area of developing and measuring Desired Outcomes. Since this can already be done under current law, any language in the new statute should encourage rather than mandate such use.

Given the enormous impact of the 1990 census on my part of the country, we need to retain rather than restrict the flexibility available to us under present law.

It is my belief that the Chapter 1 assessment system rather than mandated pedagogical and venue requirements should be strengthened to insure that what we do at the local level produces demonstrable results for the children we serve.

IV. Assessment

The institution of Minimum Standards and the Program Improvement Process in the 1983 Reauthorization has provided Chapter 1 with more respectability than any single provision in my memory. Both elements should not only be retained but strengthened.

Pennsylvania has instituted a system whereby "Aggregate Performance" and "Basic and More Advanced Skills" are measured by Norm Referenced Standardized Tests selected by the local school district. The standard for the former is the "greater than 0.0 NCE gain" alluded to in the statute, and the latter by a standard of "greater than 2.00 NCE gain" established by the State. Each local school district must select both a measure and a standard expressed in terms of the percentage increase in the number of students who meet the standard over a 12 month period for "Success in the Regular Program" and "Grade Level Proficiency". The precise measures and standards are the prerogative of the local school district subject to approval by the State.

Our particular districts have more trouble with their own measures and standards than with the Norm Referenced Standardized tests. While there is no lack of possible "alternative measures", the degree to which consensus can be reached as to which alternatives "measure" the Desired Outcomes is a problem. Since many of these measures have never been used for such a purpose, strange anomalies result.

BEST COPY AVAILABLE

Finally, many staff are very concerned that the twelve month cycle produces "scores" or "ratings" by two different teachers. In essence, these concerns relate to the very real concern that whatever measures are used are both valid and reliable. The considerable discussion that has taken place over selecting measures and standards has been of enormous value in raising the awareness of how, in fact, we evaluate the progress and achievement of not only the Chapter 1 students but all our students.

The evaluation system could be strengthened if the law encouraged both states and Technical Assistance Centers to conduct research and disseminate valid information on effective alternative assessment instruments and techniques.

While there are problems with the use of Norm Referenced Standardized Test scores, I would support a sampling system for reporting purposes but not their elimination. My primary reasons are two. The first is that they represent our only common measure. The second is that based on my experience at the local and state levels there is little faith at this time in the reliability and validity of the various Alternative Assessments I have seen.

Since needs and various social pre-conditions vary between districts, any attempt to mandate a simple set of Alternative Assessments would be unwise and impede the implementation of change and experimentation.

The issue of setting "high standards" is of considerable importance. In my opinion, any standard should be challenging but, with effort, attainable. If the standard is too "high" it will not be taken seriously. If the standard is too "low" I can "hide behind it". Most "high standards" are designed to define an elite. Every singer is not expected to sing at the Metropolitan Opera or every athlete to play Major League Baseball. Therefore, it is my assumption that the use of "Minimum Standards" in the current law refers to a basic competency that the vast majority of our students can, indeed, attain. In our districts we now have sufficient data to begin to determine whether or not the "percentage point increase" standard we choose on intuition has any basis in fact. Some need to be raised, others appear to be useful, and still others are simply invalid.

I am not a statistician, but I would urge you to consider a standard that is consistently focusing on the low achieving end of the spectrum for any given indicator. For example, if the data is amenable to such treatment, all buildings in the lowest decile, two deciles, quartile, etc. should be eligible for Program Improvement. Such a system would permit one to constantly examine the "bottom" even if the actual overall measure of achievement rises. I can foresee difficulties, but I believe such an approach would both identify specific buildings and permit more concentrated attention at both the local and state levels. Knowing that a building is in the lowest decile in the state has a far greater impact on a school than failure to reach an average score of "X".

Any specific measures and standards should also be common and acceptable to both the professional and general communities. The degree to which measures are esoteric, time consuming in obtaining, and difficult to interpret, is counter-productive to their acceptance, and, therefore, to fostering meaningful change.

Shibboleths and Slogans

As a local coordinator, a parent, and a citizen, I am increasingly dismayed by our propensity to embrace sweeping generalizations and seek the "quick fix". In a nation as vast and diverse as the United States the former are over-simplified and the latter simply non-existent. While useful for engendering debates or attracting headlines, they are not, in my opinion, the most enlightening basis for the deliberations at hand.

It is very easy to establish false dichotomies between such things as "Basic Skills" and "Higher Order Thinking Skills". The two simply must be taught and developed in tandem. Creativity is not intuitive but rather results from the mastery of basic knowledge which permits an insightful rearrangement of that knowledge to produce something new. Creativity at its core is a conscious not an accidental act.

When pressed to define a point, it is common to reply that this is an area of "philosophy", and, therefore cannot be defined. To the best of my recollection, philosophy is based on rigorous definition. Too often "Alternative Assessment" is "philosophically" ill-defined.

Finally the terms "reform" and "restructuring" have so many definitions held by so many different individuals and groups that they begin to lose all substantive meaning. Not so long ago we "restructured" in the name of "self-actualization", and now we are "reforming" for what appears to be a more traditional view of learning.

In my personal view, our country is paying a very high price for at least a quarter century of self-indulgence in regard to education. We must address the fact that we can no longer afford to waste the talents of any of our children and the maximization of these talents can only be achieved by hard work.

I have been privileged to have studied under a variety of fine teachers. One of these taught me piano for twelve years. The object of every lesson was to "make music", but, in order to do so there were some skills to be learned. She once told me that I wanted all the pretty flowers but did not want to dig in the dirt. Gardening, be it music, reading, mathematics or anything else, can be an enjoyable and uplifting experience, but it is rarely accomplished with clean hands by either the teacher or the student. In your deliberations in regard to the reauthorization of ESEA do not be persuaded that there is only one method, philosophy, or reform that will revitalize our educational system.

Conclusion

In summary, I would urge this committee to grant us at the local level the flexibility to address the various needs of our educationally deprived students. In return for this freedom, hold us accountable by means of a valid and vital system of accountability for demonstrable results. Do not succumb to the slogans of the day, but create a law that can be adopted to changing conditions by permitting us to freely discard or adopt new and proven approaches. Finally, retain the universality of the program as that is the source of its strength.

APPENDICES

1. Pennsylvania Congressional District #7 Data
2. Pennsylvania Congressional District #13 Data
3. 1989-1992 Project Evaluation Data

Congressional Data Summary

Congressional District Number: 7

Congressman: Curt Weldon

1992-93 School Year District Allocations

Program	Focus	LEA Allocation Congressional Dist.	Total Pennsylvania LEA Allocations	Percent of Total
Title II	Math/Science	$ 222,477	$ 10,765,819	2.1%
Chapter 2	Block Grant	$ 409,692	$ 18,879,165	2.2%
Chapter 1	Educationally Disadvantaged	$7,340,361	$304,090,438	2.4%
	TOTAL	$7,972,530	$333,735,422	2.4%

1992-93 Chapter 1 Allocation	LEAs
$0-149,999	5
$150-249,999	5
$250-499,999	8
$500 999,999	1
$1 Million +	2
TOTAL	21

1991-92 Chapter 1 Statistical Data

Grade Levels Served by Chapter 1: K-12

Subject Areas Served by Chapter 1: English/Reading, English/Other Language Arts, English/Second Languate, Mathematics, Preschool, Spec. Act - Handicapped

Number of Chapter 1 Participants: Public 4,813 Nonpublic 1,700 Total 6,513

Chapter 1 Staff: Professional 86.97 Support 45.48 Total 132.45

1991-92 Chapter 1 Achievement Data

Reading				Math			
Number of Participants*	Mean Pre NCE	Mean Post NCE	Mean NCE Gain	Number of Participants	Mean Pre NCE	Mean Post Nce	Mean NCE Gain
2,118	36.8	44.5	7.7	637	36.3	43.0	6.7

*Number of participants includes only those students in grades 2-12 with complete pre and post test results.

Minimum Low Income Eligibility Criteria

The following chart lists the number of buildings within the Congressional District by the percentage of students from low income families.

LOW INCOME DATA Congressional District #7								
% Low Income	Chapter 1 Schools	Chapter 1 Children Served	% Low Income	Chapter 1 Schools	Chapter 1 Children Served	% Low Income	Chapter 1 Schools	Chapter 1 Children Served
95 to 100	0	0	60 to 64.9	0	0	25 to 29.9	0	0
90 to 94.9	0	0	55 to 59.9	0	0	20 to 24.9	2	304
85 to 89.9	0	0	50 to 54.9	0	0	15 to 19.9	8	1,241
80 to 84.9	0	0	45 to 49.9	0	0	10 to 14.9	8	792
75 to 79.9	0	0	40 to 44.9	0	0	5 to 9.9	15	856
70 to 74.9	0	0	35 to 39.9	1	173	0 to 4.9	47	3,147
65 to 69.9	0	0	30 to 34.9	0	0			

CHAPTER 1 NO WIDE VARIANCE DATA		
LEAs	CHAPTER 1 SCHOOLS	CHAPTER 1 CHILDREN SERVED
10 (48%)	57 (70%)	3,374 (52%)

CHAPTER 1 BUILDINGS 1.0 FTE (OR LESS) TEACHER		
LEAs	CHAPTER 1 SCHOOLS	CHAPTER 1 CHILDREN SERVED
14 (67%)	61 (75%)	4,491 (69%)

Congressional Data Summary

Congressional District Number: 13

Congressman: Marjorie Mezvinsky

1992-93 School Year District Allocations

Program	Focus	LEA Allocation Congressional Dist.	Total Pennsylvania LEA Allocations	Percent of Total	1992-93 Chapter 1 Allocation	LEAs
Title II	Math/Science	*$ 195,807*	*$ 10,765,819*	*1.8%*	$0-149,999	5
Chapter 2	Block Grant	*$ 388,216*	*$ 18,879,165*	*2.1%*	$150-249,999	8
Chapter 1	Educationally Disadvantaged	*$6,249,451*	*$304,090,438*	*2.1%*	$250-499,999	7
	TOTAL	*$6,833,474*	*$333,735,422*	*2.0%*	$500-999,999	0
					$1 Million +	1
					TOTAL	21

1991-92 Chapter 1 Statistical Data

Grade Levels Served by Chapter 1: *K-12*

Subject Areas Served by Chapter 1: *English/Reading, English/Other Language Arts, English/Second Language, Mathematics, Preschool*

Number of Chapter 1 Participants: Public *5,374* Nonpublic *259* Total *5,633*

Chapter 1 Staff: Professional *82.29* Support *17.09* Total *99.38*

1991-92 Chapter 1 Achievement Data

Reading				Math			
Number of Participants*	Mean Pre NCE	Mean Post NCE	Mean NCE Gain	Number of Participants	Mean Pre NCE	Mean Post Nce	Mean NCE Gain
1,620	*32.9*	*40.0*	*7.1*	*505*	*29.1*	*36.5*	*7.4*

Number of participants includes only those students in grades 2-12 with complete pre and post test results.

BEST COPY AVAILABLE

Minimum Low Income Eligibility Criteria

The following chart lists the number of buildings within the Congressional District by the percentage of students from low income families.

LOW INCOME DATA Congressional District #15								
% Low Income	Chapter 1 Schools	Chapter 1 Children Served	% Low Income	Chapter 1 Schools	Chapter 1 Children Served	% Low Income	Chapter 1 Schools	Chapter 1 Children Served
95 to 100	0	0	60 to 64.9	0	0	25 to 29.9	2	142
90 to 94.9	0	0	55 to 59.9	0	0	20 to 24.9	5	344
85 to 89.9	0	0	50 to 54.9	0	0	15 to 19.9	4	383
80 to 84.9	0	0	45 to 49.9	0	0	10 to 14.9	6	328
75 to 79.9	0	0	40 to 44.9	0	0	5 to 9.9	28	1,538
70 to 74.9	0	0	35 to 39.9	1	101	0 to 4.9	45	2,675
65 to 69.9	0	0	30 to 34.9	1	124			

CHAPTER 1 NO WIDE VARIANCE DATA		
LEAs	CHAPTER 1 SCHOOLS	CHAPTER 1 CHILDREN SERVED
9 (43%)	62 (67%)	3,084 (55%)

CHAPTER 1 BUILDINGS 1.0 FTE (OR LESS) TEACHER		
LEAs	CHAPTER 1 SCHOOLS	CHAPTER 1 CHILDREN SERVED
17 (81%)	75 (82%)	3,013 (53%)

AVERAGE NCE GAINS

	89-90	90-91	91-92	92-93	93-94	94-95	95-96	96-97
HAVERFORD (READING)								
Annunciation	5.00	-0.88	9.77					
Chatham Park	5.47	4.40	10.08					
Coopertown	16.67	0.83	5.18					
Haverford M. S.	7.78	6.74	13.85					
Haverford Sr. High	3.82	-10.94	7.06					
Lynnewood	7.88	-7.05	7.95					
Manoa	7.79	1.81	12.16					
Oakmont	7.71	-0.73	4.36					
Sacred Heart	6.65	4.73	4.36					
St. Bernadettes								
St. Denis	10.01	-8.21	7.43					
St. Thomas/OMGC	12.44	2.32	33.88					
HAVERFORD (MATH)								
Annunciation	5.10	13.11	5.75					
St. Denis	NA	6.91	18.61					
LOWER MERION (RDG.)								
Bala Cynwyd M. S.	12.97	2.91	0.72					
Catholic Home	NA	NA	-6.40					
Cynwyd	13.31	11.00	8.47					
Gladwyne	7.54	7.46	4.20					
Harriton Sr. High	NA	NA	1.65					
Lower Merion Sr. High	-7.16	NA	3.10					
Merion	NA	0.66	6.86					
Penn Valley	7.94	3.08	3.10					
Penn Wynne	7.36	2.73	5.27					
Presentation	NA	NA	8.18					
St. Matthias	5.82	-1.65	8.18					
Welsh Valley	2.15	1.37	0.12					
LOWER MERION (MATH)								
St. Thomas/OMGC	4.97	13.67	11.14					
RADNOR (READING)								
Ithan	7.06	12.31	15.09					
P.C.V.	-4.62	2.07	-5.06					
St. Katherines	26.08	20.80	29.05					
Wayne	12.47	3.30	13.61					
Rose Valley	NA	NA	13.10					
RADNOR (MATH)								
Ithan	7.78	10.4	10.95					
Wayne	19.12	0.53	10.87					

	89-90	90-91	91-92	92-93	93-94	94-95	95-96	96-97
	%	%	%	%	%	%	%	%
HAVERFORD (READING)								
Annunciation	0.0*	0.0*	0.00*					
Chatham Park	0.0*	10.00	10.00					
Coopertown	0.0*	10.00	0.00*					
Haverford M. S.	-9.00	-4.94	-3.88					
Haverford Sr. High	17.00	33.30	-17.14					
Lynnewood	0.0*	0.0*	0.00*					
Manoa	-8.00	5.56	-10.00					
Oakmont	0.0*	9.52	0.00*					
Sacred Heart	-12.00	-14.29	20.00					
St. Bernadettes								
St. Denis	18.00	12.50	7.14					
St. Thomas/OMGC	0.0*	0.0*	0.00					
HAVERFORD (MATH)								
Annunciation	10.00	0.0*	0.00*					
St. Denis	-8.00	0.0*	0.00*					
LOWER MERION (RDG.)								
Bala Cynwyd M. S.	4.00	-5.80	-12.00					
Catholic Home	NA	NA	0.00*					
Cynwyd	7.00	-5.56	0.00*					
Gladwyne	0.00	0.0*	-7.15					
Harriton Sr. High	NA	NA	10.35					
Lower Merion Sr. High	34.00	NA	13.16					
Merion	NA	4.17	7.15					
Penn Valley	0.0*	0.0*	6.67					
Penn Wynne	9.53	-6.67	8.33					
Presentation	27.00	NA	16.67					
St. Matthias	25.00	-10.00	0.00*					
Welsh Valley	0.00	17.39	0.00					
LOWER MERION (MATH)								
St. Thomas/OMGC	12.00	0.0*	-37.50					
RADNOR (READING)								
Ithan	0.00	42.00	73.33					
P.C.V.	NA	NA	25.80					
St. Katherines	40.00	0*	NA					
Wayne	20.00	20.00	100.00					
School in Rose Valley	NA	NA	100.00					
RADNOR (MATH)								
Ithan	-54.00	10.00	13.63					
Wayne	9.00	-25.00	7.15					
* Above 91% Pre-Post								

	89-90	90-91	91-92	92-93	93-94	94-95	95-96	96-97
	%	%	%	%	%	%	%	%
HAVERFORD (READING)								
Annunciation	0.0*	76.00	92.86					
Chatham Park	36.00	9.09	30.00					
Coopertown	60.00	36.60	23.00					
Haverford M. S.	34.00	16.37	4.00					
Haverford Sr. High	25.00	3.33	26.92					
Lynnewood	67.00	-5.55	29.00					
Manoa	54.00	38.89	40.00					
Oakmont	30.00	38.09	7.00					
Sacred Heart	100.00	100.00	100.00					
St. Bernadettes								
St. Denis	100.00	100.00	100.00					
St. Thomas/OMGC	100.00	100.00	100.00					
HAVERFORD (MATH)								
Annunciation	0.0*	0.0*	100.00					
St. Denis	0.0*	0.0*	100.00					
LOWER MERION (RDG.)								
Bala Cynwyd M. S.	4.00	7.14	3.85					
Catholic Home	NA	NA	NA					
Cynwyd	35.00	0.00						
Gladwyne	12.00	0.00	29.41					
Harriton Sr. High	NA	NA	0.00					
Lower Merion Sr. High	-23.00	NA	-9.09					
Merion	NA	29.17	20.69					
Penn Valley	86.00	44.01	17.24					
Penn Wynne	52.00	12.40	11.63					
Presentation	64.00	NA	88.89					
St. Matthias	10.00	12.50	100.00					
Welsh Valley	4.00	0.00	7.41					
LOWER MERION (MATH)								
St. Thomas/OMGC	0.00	0.0*	100.00					
RADNOR (READING)								
Ithan	89.00	10.00	35.72					
P.C.V.	NA	NA	NA					
St. Katherines	80.00	0.0*	NA					
Wayne	83.00	20.00	50.00					
School in Rose Valley			100.00					
RADNOR (MATH)								
Ithan	84.00	12.00	27.78					
Wayne	-13.00	6.00	35.29					
* Above 91% Pre-Post								

Page 1

BEST COPY AVAILABLE

Chairman KILDEE. Thank you very much, Mr. Force.

I will begin some questions to the panel. I may direct a question to one individual, but that does not preclude others from adding their own thoughts. I will probably ask a general question first, although the thought was provoked by Mrs. Ochoa's testimony.

There are some who say that we need to amend the law to authorize more flexibility in the operation of Chapter 1, and there are others who say that there is no real need to amend the law. Let me ask you this question.

Can this committee or can the U.S. Department of Education do anything to encourage greater use of the flexibility that was put in the Hawkins-Stafford bill? You indicated, Mrs. Ochoa, that there is flexibility there, yet some are not using it, some are creatively using it. Can we, as a committee, or can the U.S. Department of Education do something to encourage greater use of the flexibility in the law under Hawkins-Stafford?

Mrs. OCHOA. This is a question I have given a great deal of thought to also and wondered, would it not be nice if we could legislate quality or mandate those things that matter. Obviously, you cannot. A drastically different bill is not going to change that will either. So what is it that can be done?

I do think that by giving all the responsibility to States to provide that assistance may be a mistake. Now you have 50 different entities, with 50 different agendas, interpreting what it is that is the central belief in what we can do with Chapter 1. I do think that staff development is the key, but I think brokering is one of the ways to do that. And I am going to use Mary Jane LeTendre's term, "missionary work."

I think it is important, where you have not just folks from a technical assistance center send you a document that says, "This is good. Do it." That is good, but it is not enough. What about those people who are good at facilitating? We have lots of folks who know how to facilitate. It is like Mr. Force said, you do not mandate a methodology or a program. If you get a facilitator in to work with people, who knows how to ask the right questions and respond and goad and cheer and bring them to their very best and bring them to consensus, then you are going to have a successful program.

So that is it that can be done? I would hope that it would be done from a Federal level so that we have one agenda, rather than 50. It is not that States cannot be helpful in that, but I think the technical assistance centers are probably the main key to having this happen.

You cannot have one in Portland, Oregon, serving all of California, Oregon, and Washington; it does not work. There are not enough of them, and they do not have the time to get out to us. So we need to reach out into the field and network that expertise that is already there, as you heard about this morning.

Chairman KILDEE. Thank you. Does anyone else care to comment? Yes, Ms. Wise?

Ms. WISE. I would like to respond to that. I think it is really a question of dissemination. Why is it that very few of the changes filter down to the locals as well as they should?

We really should take notice from business and industry. The Walt Disney company says, there are three words they live by:

communicate, communicate, communicate. We are not communicating. Maybe part of the reason is, maybe the 50 States do have their own interpretation of the regulations, but I do not think that in itself is the problem.

Every so often, on a regular basis, Mary Jane sends us copies of letters from the locals, asking for clarification of certain regulations. Sometimes it really amazes me how they could even be asking such questions when we thought that was resolved during the first three years of the amendment.

Maybe public service announcements would do it. Maybe we really should take advantage of telecommunications. Maybe the Federal Government can really be very aggressive in terms of selling education and the Chapter 1 program.

Chairman KILDEE. Mr. Roemer?

Mr. ROEMER. Thank you, Mr. Chairman. Thank you, everyone, for your excellent testimony, for your insight, and as I said before, for your experience. You bring up many good points and many more questions.

One of the things, Dr. Kelly, that you mentioned over and over in your remarks, and I could not agree with you more, is the need for staff development. We need to provide opportunities for our teachers and our staff at our schools to get the knowledge, as Mrs. Toscano referred to, about new problem-solving skills, high standards, and different tests.

What methods did you use at your school to teach four different staff development classes in Chapter 1 during a single year? How did you get teachers to attend? How was it funded? How would you recommend that we do similar professionl development activites, not only in Chapter 1 programs, but in other programs as well?

Ms. KELLY. Basically, our funding came from two different sources. One was the National Urban Alliance. All the schools that are Chapter 1 in Prince George's County were involved. So a large portion of staff development did come from the National Urban Alliance.

From that, we used some of our grant money, the schoolwide money, to go ahead with another school. They were involved in one particular strand, and we were involved in another. They were in math, and we were the writing. After we met, our own staffs got together, met a few times during the year, and incorporated the things that we had both heard so that we could go back once again to our own schools and implement it.

We took some of the schoolwide money and did two different things. We did after-school training for anyone who wanted to come.

Mr. ROEMER. How did you try to improve attendance for parents?

Ms. KELLY. You mean through staff development?

Mr. ROEMER. Yes.

Ms. KELLY. The only staff development did with the parents was, we had first the teachers trained on when the parents would come in, what are you going to do with them? It is very different from the olden days, when parents are going to come in and be your room mothers and do parties. We do not do that any more.

We had people come in and say: When the parents come in, and they are not speaking English, and they want to help their child with their homework, what can you do? What can you send home? We came up with parent packets.

The teachers were trained during the day. We took half-day training for that. Substitutes were provided.

Mr. ROEMER. So it was within the school?

Ms. KELLY. Within the schoolday. What we have sometimes on Saturdays, we have involved two different Saturdays. Whatever the teachers wanted to do to get the training, we were flexible enough to say yes: we can do it in the evening, we can do it during the day, we can do it whenever we can get the most amount of people that are willing.

The teachers are willing. They want to be successful. It is just a matter of finding the common ground, when everybody can get together and do it.

Mr. ROEMER. Did you want to comment on that, too?

Mrs. TOSCANO. Yes, I would agree. I think teachers want to be successful. I think that providing staff development gives them an opportunity to get the skills that are needed and to coordinate their program so that students can be successful in the classroom.

We also have what we call a school-based coordinated staff development days. That is a fancy way of saying that we have a release day, when the students are not in attendance. We have found that it is really important to give teachers an opportunity to spend whole days together in staff development, not try to do it after school when they are tired from a busy day of teaching students but to give them an opportunity to spend a day together.

We specifically designed our staff development around the program that we wanted to put in place and gave the teachers specific techniques on how to improve their teaching methods for reading, how to improve their ability to teach students to write, their writing process.

Also, we did some staff development with parents through what I referred to in here as a parent room. We have begun an outreach program for parents, where teachers come in and provide grade level assistance to parents. If your child is in third grade, these are the specific things you can do to help your child be successful this year.

We are asking parents to take ownership in the school and to feel empowered in their child's education. They are a strong advocate that needs to be brought into the fold, in terms of the educational process of the children. Staff development is critical.

I would like to go back and refer to an earlier question, which had to do with the question that Mrs. Ochoa spoke to and flexibility in the Chapter 1 program. I do feel strongly that we have the flexibility, and again, I am amazed at other principals in other districts and district administrators who do not know what you can do under the current Chapter 1 law.

I agree with Ms. Wise about communication. It is an issue of communication. I feel strongly that we need to get something out in writing, but it needs to be followed up with people who can come out and actually say, "This is flexible. This is a law that can be put into place in your building."

I would agree with you, Mr. Force, that it needs to look different in different places, because the children are different across the country, and they need different programs to be successful.

Mr. ROEMER. In the three-point outline in your statement, you say that first we have to come up with a successful program. The sources that you go to get this wide diversity of information is dependent upon how different the schools are. Second, we have to develop that successful program through staff development. Third, we need outreach centers to help disseminate and communicate the information.

Mrs. TOSCANO. That is exactly right. I am very fortunate, and the more I travel around the country, the more fortunate I realize I am to have a district that maintains a very current level of knowledge about what the outstanding programs are in the country.

I think that this committee is probably a valuable resource because of the research that you have been doing on the programs that are out there, whether it be reading recovery, a Success for All program, or a higher-order thinking skills program. Those programs are well known.

I think that one of the things we certainly have done in our district is to look at reform documents. I think it is the responsibility of the districts and school administrators to be knowledgeable about those documents. The documents are there. Sometimes it takes a facilitator, as Mrs. Ochoa says, to get people into the documents and help them understand what is there.

That is how I believe the technical centers can become the vehicle for change. If we can get people who are good facilitators to come into a school and say, "Here is a variety of programs. Here is a variety of models. We are not asking you to take one model. We are asking you to look at the variety of models." What very often happens when you look at a variety of good models is that you find some common strands in those models.

But there is nothing more important than the buy-in of the staff. If the staff buys the program, that has to happen at the local level and at the school-site level. You have to have a staff that is motivated and feels that this program will be successful, and then it is successful.

Mr. FORCE. I would like to emphasize here too, especially in most school districts across the country—and maybe I misheard your question—Chapter 1 is but a part of a much larger school district. Since the previous criticism of Chapter 1 is that it operated off in some other stratosphere from the district, part of it is making sure that the inservice is integrated with that of the school district, for which, of course, there are generally some resources.

I would also like to see, instead of these broad definitions of what is successful, what I usually miss, and in the conferences that we operated in our State, someone will tell me the program is successful. They will not tell me where it is successful and what are the elements that make it successful. If I am a rural school district, for example, will a successful program in the city work for me? I do not doubt that it works for them. If they give me five things, which is the element that, if I remove it, the thing is not going to work?

I do not find it difficult, both through our State and through NDN, to come up with successful programs. But when you begin to ask the question how you are going to integrate that in your particular district, that is not quite so easy, and I generally find the institutions of higher learning do not examine those types of things.

Mr. ROEMER. I know Mrs. Woolsey wants to ask some questions about one of her favorite topics, the integration of services. So I will not ask about your parent outreach and community service and preschool programs, although I am very interested in those, too. I think she will cover that very well.

My last question is to you, Mr. Force, because I think you begged the question. I think you have already partially answered it. You said in your statement, Chapter 1 is working pretty well, if you use it appropriately, therefore do not change too much of it, but rather use Chapter 1 to try to lead systemic reform. How do we do all those things?

Mr. FORCE. Of my 28 buildings, we have four of them in program improvement. One of them, by the way, is an in-class model. In my opinion, it is not in program improvement because it is an in-class model; it is because we picked what everyone thought was an easily-obtainable down-and-dirty measure. Experience found that did not work, and it was more of a statistical matter.

Nonetheless, it is there, and you get people in tears. This has told them that they are doing something wrong, and they are bad people. Once you get them through that, and you get them to really start talking, they will say, "If we could have this," or "This thing over there that we interact with," you very rapidly come down to how that building—and, by extension, the school district—looks at this type of student.

If it is done well, and you have the support of the hierarchy within the school district—the superintendents and the boards and those people—which I believe we do, they force you to look at it and do something about it.

The first time I had an elementary building in program improvement, the principal called and said, "This is embarrassing." I said, "Yes, it is." Then we got down to what could have caused this to happen.

The last ideology that went through was the individualization of everything. I do not find in many places that you look at the data in regard to cohorts or children, examining yourself. The eligibility list alone forces me to look at a principal and say, "Twenty-seven percent of your children are scoring below level for age and grade in the area of reading." In this instance, we use a norm-referenced test for the initial rank ordering.

This is on our tests, not Chapter 1's test. We have the flexibility under Hawkins-Stafford to use whatever measure we want to define educational deprivation. So I say, "This is a test in your building. Now what does that tell you?" If all you are looking at is all the individual test scores of all the individual children, it changes your focus.

If the will is nearly there, it's, "What's the difference?" They are very concerned that if they do this again, the State will come in.

I will give you a classic example, but I do not know how widespread it is.

In one of the buildings, there was a way we could get out of it. So I informed my superior that it could be done. We had already set the building to making its plan. He said, "That's nice to know." We finally had the meeting, and the staff were there, a little nervous in front of the assistant superintendent. He said he would let me know when to tell them.

They presented their plan. He nodded. I told them, and then he looked at them and said, "Now, you go and implement that plan. Obviously, you would not have made it if you did not think it would do something to improve the conditions in the building." To me, that is the pressure that is felt, and it does take some sensitivity. These people are not going out of their way to harm children. Short of the government taking over the school, even the States do not do that, but it is a powerful force.

Also in our district, when a building is in program improvement, all of the buildings at that level participate in the plans. As I say in my written testimony, no one in our school districts can say that if you go to School A, you are getting a better education than if you go to School B. So when you are talking about some kind of change in program, everybody of similar position is involved in the creation of that plan.

Mr. ROEMER. Thank you, and keep up your good work with our students out there.

Chairman KILDEE. Mr. Gunderson?

Mr. GUNDERSON. Thank you, Mr. Chairman. I apologize to the group. One of the things we have not worked out in this chapel yet is how to schedule so that we do not have major hearings in two committees at the same time. My staff has quickly brought me up to date on your testimony.

You seem to suggest that there may be some common thinking between what some of you are saying and what I have been advocating. Do any of you have any suggestions as to how best we might integrate these social services with Chapter 1 or recommendations? This is an area in early childhood, in particular, that we have been looking at, as to the total response.

Mrs. Ochoa, they predicted you might have something to say on this one. I am not surprised you raised your hand.

Mrs. OCHOA. I certainly do. It is a concept that I personally firmly believe in and see, in my district, is working very well. When you have Chapter 1 schools or just plain needy schools, with lots of poverty, you cannot just treat the educational side of the problem. You have to integrate services.

In our district, almost all our Chapter 1 schools have preschool on their campuses. As much as we are able to do that, we do that. Preschool is very important, not only for what it gives the child but for what it gives the parents. The parents become, at that level, very involved. There are lots of things about Head Start I am not really happy about, but what I am happy about is that parent involvement that happens there. Once you hook the parent at that level, you have them for the rest of the child's education because they do not tend to back off then.

The other thing is, we have to look at the health needs and social needs of the family. We may not just look at the child. If the child is going home to a very dysfunctional, unhappy, maybe horrible experience in some cases, we really cannot expect to do a lot during the day. So we must coordinate those things.

In our State, we have a State law called Healthy Start. It is something that we have done in our district. Another schoolwide Chapter 1 school was able to get that program. They have social workers, drug counselors, health and job people on the campus; their offices are there. So it has become a one-stop shopping center, if you will, for deprived and disadvantaged families.

I think that the focus of Chapter 1 needs to be on the young children and family, even though I know high school kids need things, too. I think the greatest chance for success is at the primary, even lower level, preschool. I think that we need to involve the family. I feel very strongly about that.

When we do that, when you see a change occur there, and parents beginning to understand what it is that is important about school for their children—and not only parents understanding but teachers understanding how to work with parents, because quite often that is a great need also. When you see that happening, that child's life turns around. Without it, I do not care how hard we work or what good programs we have, I think we are going to fail many children without that extra service.

I think schools are the best agents to integrate services. For the last 25 years that I have been in education, we have two or three meetings a year with different community groups, community agencies, and we all say, "Oh, we need to communicate our services." Then we go away really charged up, and then we do not do anything until the next meeting six months later.

Now we have decided to bite the bullet in our district and say, "You know what? If anybody is going to get these things coordinated, it is going to be us. So let us just do it." When we began to do that, we found a lot of cooperation among the agencies. It just took someone to really roll up their sleeves and get the work done.

I think that people in education are the best people because they are used to being doers, to getting that done, rather than having two committee meetings a year and talking about, "Gee, we need to coordinate more."

I would like to encourage that it be encouraged in the legislation. That is one of those tinkering things I would like to see happen.

Mr. GUNDERSON. Encouraged or mandated?

Mrs. OCHOA. You cannot demand.

Mr. GUNDERSON. I am a Republican, so I am not big on mandates, I have to tell you. But what if we said: As a condition of receiving Chapter 1 funds, the LEA must show that some coordination plan is in effect? Not that the school even has to be the lead, but if we give maximum flexibility and guarantee that this early childhood coordination must be done?

Mrs. OCHOA. It depends on what kind of district you are talking about. If you look at a district like the district I work for, I think that would be fine. It might not work as well with the districts that Mr. Force works with. It depends on the need. That is the reason I do not like demands.

One of the commissions, I believe it was the Hornbeck one, suggested that you have a set-aside for staff development so that each district would have to set aside so much money. I think that is ludicrous. What is good for my district might be absolutely anathema in Maryland or in Pennsylvania or even in Los Angeles. You cannot say there is a percentage of things you need to do.

I used the word "encourage" carefully, because I think that even if you mandate it, that does not guarantee that it is going to happen. It may guarantee that some committees get together and meet once a year and sign their names to a list.

Mr. GUNDERSON. I think Mrs. Toscano and Dr. Kelly both have something to say.

Mrs. TOSCANO. I think you have touched us where we live, with the question. Right, Dr. Kelly?

We have learned how to coordinate instructional programs and coordinate curriculum, with Chapter 1 and the regular program. The new thing for us to learn how to coordinate is community services.

In preschool Head Start, programs involve parents. As Mrs. Ochoa said, early parent involvement is critical to the success of children in school. We know that. When I referred to our parent room at Fremont Elementary School, the parent room is more than a place with a door and some windows. It is an opportunity for parents to connect with community agencies. We have county health that comes to serve the needs of the students.

We ask city government officials to come and work with our community. By doing that, our local councilman has rewritten some of the regulations to restrict two single-family dwellings from multiple-family dwellings in my community. We have taken our transient rate from 64 percent of the children coming in and out of my school down to 41 percent by working with the city government and our parents in the community. That is one of the most significant impacts I have ever had in working with the community.

Another reason that schools need to be involved with the community to meet the needs of children is because we see these families every day. When children come to us each day, we know whether they are well, and we know whether there has been a drug problem in the home last night, or a shooting. We know whether these children need eyeglasses. We know whether the parents have a drug problem.

Those are all day-to-day issues we deal with in the schools, and that is why we need to connect with those agencies and in fact be a liaison for those agencies with our parents. Very often, these are the parents who do not know how to use an agency. If we can help them have access to those agencies, then we can solve the problem that is going to keep the child from being successful in school.

I have a term which is: Sometimes children are not available to learn. When they are not available to learn, it is because they are in a survival mode. They are trying to survive day to day, in terms of food and sleep and housing. Those are really important issues for us out in the school site at this point of time.

I do not think you can mandate it, in response to your question. The Success for All program has the motto, "It takes an entire village to raise a child." I do believe in that motto, and I think that good model programs build those strategies into them, but it cannot be mandated.

Mr. GUNDERSON. Dr. Kelly?

Ms. KELLY. I was going to say that last year, it became very obvious to us that we were dealing with so many social issues in our school. Over the three years, we were getting grants from the Federal Government to be a food distribution center, clothing distribution, to have the health department come and do the tests at our school, and we had a health fair.

So over the years, we were doing so many things that we really felt were not our responsibility. But the parents trusted us, and they would come. With so many undocumented people, that was amazing it itself. We realized that we just could not keep doing it, but we could do it well if we had the assistance.

Next year, our program will move out and begin to be housed in another school that through the State and the county they are purchasing. In the building, besides the school, where we will have kindergarten and prekindergarten, Head Start, and grades 1 through 4, we will also have the health department, the University of Maryland, and Social Services all involved in the school. Once we see that project get started, a lot of our answers will be forthcoming.

We just could not deal with the education of the children if they were hungry, if they were poor, and if they were tired. The family shelter was put in our neighborhood, and it was so impacted, but they knew that we would care about the children and do as best as we could. So the resources in our area will be coming.

I think you cannot mandate it, but certainly if someone would have said we could have used some Chapter 1 funds, it might have helped us start a little earlier in initiating it.

Mr. GUNDERSON. I am out of time. The Chairman has been generous to allow me this much time.

I really struggle with this. We talk about $6.7 billion a year in Federal funds in Chapter 1. You all say that a comprehensive response to the student is the total foundation of that student's ability to learn. I am not saying that we are wasting $6.7 billion now at all, but I will tell you, every professional I talk to in this area says we have to do more. How can we do more? Ought there not be a little bit of responsibility in exchange for that almost $7 billion in Chapter 1 money?

Think about it. You do not even have to give me an answer today. Submit to this committee some language that you think might be helpful, that is not a mandate, that gets the job done. I do not want to mandate any more than you do.

You have to cut me off here, whenever you want, because I think we could talk all morning.

Chairman KILDEE. Thank you. I think Ms. Woolsey is waiting for her chance to question the witnesses, too. Thanks a lot, Mr. Gunderson. Ms. Woolsey?

Ms. WOOLSEY. Thank you, Mr. Chairman. I want to thank this knowledgeable and experienced panel. You have really given us an earful on successful Chapter 1 programs. I want to tell you that, speaking of communication, you could go on the road and do this Chapter 1 funding program a big service. You sell it very well.

While I was in my district last week, I had the opportunity to visit a Chapter 1 school, the Loma Verde elementary school in Novato, California. My district is the two counties north of the Golden Gate Bridge, north of San Francisco. When you see a good program, when you hear about good programs, it is so easy to support the Chapter 1 concept.

I am delighted that Representative Gunderson is becoming interested in my concept and the thought of coordinated services. Ever since I arrived here and all through my entire campaign, I have been virtually harping on the need for coordinated services so that when a child enters a classroom, that child is ready to learn or is there. This is exciting.

I want to ask you what you think about incentives or a separate stream of funding for coordinated services or use of Chapter 1 funding. We are getting coordinated services language included in the President's reform bill. I have my fingers crossed that I will have it in the ESEA reauthorization. I want words, but I do not want words without the support mechanisms behind them. I want you to respond on how you think that could best happen.

I want to tell you what I think coordinated services are. First of all, I see them as being quite individual to each school or school district. Some schools may need one set of coordinated services, and some may need another. Some could use the school site, or else it could be nearby. I do not think we should mandate what those services will be. We should give a menu of examples of what the services would be and have them be as useful and helpful to the individual community as possible.

I do not think that coordinated services should only be for Chapter 1 eligible schools and Chapter 1 eligible children. I believe all working families need to have those services available to them. For example, child care, before and after school, with possibly a sliding scale fee. The working family that can afford some child care also needs accessible quality child care, and that kids needs to go to school feeling safe also. I think we are all talking from the same song sheet.

Would you respond to me on that?

Mr. FORCE. I would like to ask one question, because so much of this does come to the schools. One thing I would be very careful about, given your remark that it is for all children, to watch the supplement not supplant problem in your language. We will find some way around that, meaning that if everyone is in agreement to do that, there is some way we can do it. I would caution you, if you want to use Chapter 1 money but have it for all children, how that is worded.

Ms. WOOLSEY. Let me interrupt you a minute. Chapter 1 funding for the Chapter 1 eligible. The service is available for all families on a sliding scale, where they then pay their way. But it is convenient and it is there. As a matter of fact, then the programs would be supported by other than Chapter 1 funding. And it does not have to be at the school, it does not have to be provided by the school, but it could be coordinated somehow.

Mr. FORCE. Given that, I am sorry I misunderstood you. Can you possibly get such a proposal, either through separate legislation or into all the different pieces of legislation, so that when I went to the other agencies, because I have to coordinate this, that when I walk into their office, they have to coordinate it with me as well?

Ms. WOOLSEY. I do not know. I know that if we start here, I really think they are going to want to coordinate with you.

Mrs. OCHOA. Could I respond to your statement, too? When you talk about making it available to all the children, it goes back to one of the questions asked previously about what kind of change does Chapter 1 bring. I think that when you have any categorical program, such as Chapter 1, be a successful, dynamic program, it brings about change at that school and in the district. That has been my experience.

I cannot tell you how many things have started in our district with Chapter 1 and now are institutionalized strategies in the district, and we have moved on to do other things. It brings about a dynamic tension that is very healthy.

Ms. WOOLSEY. Especially when the classroom does not use pull-out. As long as they bring all that into the classroom, everybody benefits from it.

Mrs. OCHOA. I am sorry, but I have to respond to that, too. Some people have this notion is that you take these poor little children out of this exciting classroom, and you march them down the halls with their little heads bent down, and they go in this ugly little cell, and they are given ditto sheets for an hour. That is not necessarily pull-out.

One of the most successful strategies we have in reading in the country is reading recovery. It is a pull-out. So I am careful when I hear the word pull-out used in a negative way. I have to say, it does not necessarily have to be negative; it may be very successful, and it may meet the exact needs of the children of that school.

I think as Dick Force pointed out, he said his programs have a combination of in-class and pull-out. All of our schools have that. The Success for All program in Mrs. Toscano's school has in-class and pull-out. To give one-on-one tutorial we know is the best way to "fix" a child in a particular area, but you are not going to do that sitting in the middle of a classroom.

Ms. WOOLSEY. That is the flexibility you are talking about.

Mrs. OCHOA. Your point about integrated services for all children, I think that would happen anyway, even if you did not have a sliding scale, even if you provide that. I see it happening in our district. Again, it is something that a Chapter 1 school started. I see the whole concept of what we call Healthy Start in our state, reaching out to other schools that do not have the great numbers because they see the need to. Chapter 1 is a powerful catalyst, and I think it happens.

I would love to see language—and I wish we could come up with it right now at the table, but we certainly will think about it—on how you can make it happen without mandating it.

Ms. WOOLSEY. Ms. Wise?

Ms. WISE. I am very much in favor of coordinated services, but I am really looking at it with a bit of caution about the responsibilities that will be put on the schools and the role that Chapter 1 will be playing.

About three of four years ago, the Casey Foundation in Connecticut had an innovative project in the State of Maryland, and that is coordinated services. At that point, they pulled together the school, social services, and health services, and had the whole concept of one-stop shopping. By the third year, there was only one institution that was working, and that was the school. It was really sad.

What bogged it down? I really do not know personally because I was not directly involved in it. The schools were plugging along, they were really developing all these wonderful programs, but health and social services got left behind. They never got off the ground.

My point is, some people say, yes, it would be good for me. I think that it will be good to have it based in the school because, as Pat would say, the positive image that schools have as far as parents go. However, my question is, when you talk about Chapter 1 funding, will it get affected? Please do not change Chapter 1 from being an educational program.

Ms. WOOLSEY. Right.

Ms. WISE. One of the things in the school restructuring effort that is never addressed is that in order for schools to get better, we have to talk about instruction.

Ms. WOOLSEY. I want to be very clear. My concept of coordinated services is a support of Chapter 1. It is funded separately.

Ms. WISE. If you are going to give us the responsibility to coordinate the services, I agree.

Ms. WOOLSEY. I do not even think you have to be responsible for coordinating the services. I think we need to step up to the need for coordinated services. It could be on the school site, they could be near the school site, they could be coordinated with the school so that they are convenient and complete. I am not, believe me, telling you that it is your responsibility to leave here now and add that to your plate.

Ms. WISE. I guess it is pretty much a response to Congressman Gunderson earlier because he was speaking about it.

Ms. WOOLSEY. He is down there; I am up here.

Ms. KELLY. I like the idea of the incentive grant. I think, increasingly, we are asked to do more with less. There would be some of us, if the grant were out there, we would go after it. Maybe then when other people see, yes, it can be done, and we have made the mistakes and had the trials and tribulations, then other people would get involved and it would become more acceptable to them. At least they would try it then.

Ms. WOOLSEY. Some pilot programs then. I agree with you. I think that would be very good.

Mrs. TOSCANO. I would also like to agree with Dr. Kelly. I think incentive grants would be really important in helping schools come on board with this type of a program. I am very concerned about mandating this type of program. I do think that is something we certainly want to encourage.

I had an experience, when I was in special education. I was assigned to a building that had an occupational therapy unit and a physical therapy unit. While those are very important things for students to be involved in, who need those types of services, what I discovered, upon getting into that building, was that the focus of the building was physical therapy and occupational therapy and not education.

So in response to Ms. Wise's concern, I want to coordinate services with those agencies. I desperately need those services for my students. But I need to be very careful that my ultimate outcome is the education of the children. That is a very complex issue.

Ms. WOOLSEY. Right. I see this as a separate program that provides you with children who are "there," who can learn. It is not one taking away from the other; it is building on what you are doing.

Let me ask you a softball question, but it is important to me. When I visit a Chapter 1 program, I am only there for a short time. Tell me, each one of you, the most important thing I should be looking for to be sure that this is a good program, or the question I should ask?

Mrs. OCHOA. How is this program coordinated with the regular program?

Ms. WOOLSEY. Good.

Mrs. TOSCANO. Talk to a child. Ask them what they are doing and how do they feel about what they are learning.

Ms. WISE. Look at how the teacher is interacting with the students and the kinds of activities that are being provided to the children. Are the children excited in what they are doing.

Ms. KELLY. I would agree. See if the children are happy. See what is around the rooms, in the hallways, and how that reflects what is going on in the school.

Mr. FORCE. Echoing Carley but adding: Does the child see the relevance to what they are doing in Chapter 1 to what they are doing in that classroom?

Ms. WOOLSEY. Do you mean, they have to know that they are in a Chapter 1 program?

Mrs. OCHOA. It does not have to be called Chapter 1 though.

Ms. WOOLSEY. I am trying to get it clear.

Mr. FORCE. Generally, it is something different that is being done. Does the child see it as part of a whole, rather than two separate things.

Ms. WOOLSEY. Good. Thank you. The next time I go, I will look through even a different set of eyes.

Thank you, Mr. Chairman.

Chairman KILDEE. Thank you very much, Lynn.

About 1½ miles from the house where I was born, raised, and still live in Flint, Michigan, we have, in the northwest quadrant of Flint, taken three elementry schools—Gundry Elementry, Holmes Middle School, and Northwestern High—and we have been doing coordination of services. I have been working on coordination of services for a number of years, trying to encourage it.

In Genesee County, Michigan, where Flint is located, I am trying to add up the number of school districts within Genesee County. I come up to 19 already just from memory, and I know I am missing some. Yet, there is one governing body for the county, and then several local city councils. In the Department of Health and Human Services at the local level, the health department is separate, and social services is separate.

The question is, can we do something on the Federal level? The county Board of Commissioners will be called upon, say by about 20 school boards, to provide some coordination of services, not just in this district. In the Flint Board of Education, there are four high schools and numerous elementary schools. How do we encourage the local department of health, the local department of social services, and the local department of mental health to provide services in these 20 different school districts and many different school buildings?

One thing that has occurred to me is that maybe we can talk to Donna Shalala, who is the Secretary of Health Services, and Dick Riley, Secretary of Education, and see what we can do at the Federal level. Much of the money that flows to that department of health at the county level and that flows to the department of social services is Federal dollars. Perhaps we can start some of that on the top here in Washington.

Mrs. TOSCANO. I would respond to your question by saying that incentive dollars are the real answer. If you tie dollars into the Department of Health and Human Services with an incentive that they work with local school districts to establish these kinds of programs, then we solve Mr. Force's problem: they will come to us and work with us because the incentive is there. We are all struggling for dollars right now, and that is a real incentive.

Chairman KILDEE. I think that might be a solution. For 29 years now I have served in a legislative capacity. Very often the county board of commissioners has all these requests. Local boards of education, they may not be able to dso something because they are called upon to do other things, too.

I think I will be communicating with Donna Shalala and Dick Riley and see what we can do in those two departments. We have established good cooperation between the Department of Labor and the Department of Education for our training programs. Perhaps now we can do the same thing on the Federal level between the Department of Education and HHS.

I have so many questions, but we have to go over and vote. Let me ask you one quick question, if I may.

The national assessment of Chapter 1 stated that the current uses of the schoolwide projects are largely unimaginative. What can this committee do to promote more and better schoolwide programs? As a corollary of that, should that figure of the 75 percent poverty threshold be changed? Those are two questions, but I am trying to cram some things in here.

Mrs. OCHOA. Could I respond to the percentage level?

Chairman KILDEE. Sure.

Mrs. OCHOA. The other one is very much the same question: how do we motivate people to do better things? I am not sure that any of us really has the answer.

On the percentage, there is research to substantiate that a greater percentage of children do have academic failure in a school that has 60 percent and above poverty. The percentage of children failing in achievement in that school, when it falls below 60 percent poverty, is a great deal lower. My personal view of that is that we should not go below 60 percent on schoolwide.

Chairman KILDEE. Anyone else, on either part of the question?

Mrs. TOSCANO. I would like to respond to the first part of the question by referring back, again, to the document that I would like to see this committee develop. That document can be a collection of innovative and imaginative Chapter 1 programs. That document needs to get into the hands of local principals who are looking for programs like this. The document needs, I feel, to serve as the vehicle for what is out there that is really working.

Chairman KILDEE. Ms. Wise?

Ms. WISE. For 22 years, we were shackled with compliance issues. It is only now that we are finding our wings, with all the things that we can do. Give us a chance, because we are going to be a lot more imaginative.

As far as the percentage goes, I will go to 50 percent, because that means that maybe we can really impact more schools and improve schools for the children, not only during Chapter 1 time but throughout the day.

Chairman KILDEE. Dr. Kelly?

Ms. KELLY. I agree with Mrs. Toscano. If we could have a list, a booklet of best practices, I know that would have really helped me start.

I think another thing that would be important is that if a school is going to be schoolwide, and if the principal took two other teachers and went to talk to that other staff, just that power, and answering their questions one on one, would certainly help a lot.

Chairman KILDEE. One quick answer, Mr. Force?

Mr. FORCE. I would defer to Mrs. Ochoa's comments to your question.

Chairman KILDEE. I want to thank you. We do have to go over and vote. Since it is this close to the noon hour, there is probably no point in coming back. This has been really a great panel, collectively and individually. It has been very helpful. I have talked to my staff director, Susan Wilhelm, here, and we have gathered some great ideas. We really appreciate this panel.

We will keep the record open for two additional weeks, for additional testimony. We may submit some extra questions to the five of you.

With that, the subcommittee stands adjourned.

[Whereupon, at 11:53 a.m., the subcommittee was adjourned, to reconvene at the call of the Chair.]

HEARING ON H.R. 6, MIGRANT EDUCATION

WEDNESDAY, JUNE 30, 1993

U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ELEMENTARY, SECONDARY,
AND VOCATIONAL EDUCATION,
COMMITTEE ON EDUCATION AND LABOR
Washington, DC.

The subcommittee met, pursuant to notice, at 10:05 a.m., Room 2261, Rayburn House Office Building, Hon. Dale E. Kildee, Chairman, presiding.

Members present: Representatives Kildee, Becerra, Woolsey, Romero-Barcelo, Goodling, Gunderson, McKeon, and Miller.

Staff present: Susan Wilhelm, staff director; Lynn Schuser, professional staff member; Margaret Kajeckas, legislative Associate; Kris Gilbert, legislative specialist; and Lynn Selmser, professional staff member.

Chairman KILDEE. The Subcommittee on Elementary, Secondary, and Vocational Education convenes this morning for its eighteenth hearing on H.R. 6, the Elementary and Secondary Education Act reauthorization.

This morning we will focus on the Migrant Education Program authorized under Chapter 1, which provides services designed to meet the unique needs of migrant children. This committee has a long history of working with the migrant community to ensure that the needs of their children are addressed. We are glad to continue that dialogue today.

Before I introduce our witnesses, I would like to recognize my good friend and ranking Republican member of both the subcommittee and the full committee, Congressman Bill Goodling.

Mr. GOODLING. I will bypass any opening statement.

Chairman KILDEE. For any particular reason?

Mr. GOODLING. Just since we are here till midnight each night. I'm not sure we're quite awake yet this morning.

Chairman KILDEE. We have been working till about midnight—1 o'clock the other night. We have been working hard at it anyway.

[The prepared statement of Hon. Lynn C. Woolsey follows:]

STATEMENT OF HON. LYNN C. WOOLSEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Thank you for calling this hearing on migrant education programs in the Elementary and Secondary Education Act.

California is one of the States that easily comes to mind when people think of the need for special programs for the children of migrant workers. The fact is, however, that the migrant, or seasonal farmworker, population is steadily increasing throughout America, and almost every State needs to direct special attention to the educational needs of the children from these families.

In my congressional district, the Migrant Education Program serves approximately 2,500 children, mostly in Sonoma County. One of the things I really like about the program is that the whole family is enrolled, not just the student. In addition, the school is notified of any problems that the family may be having which would affect the child's readiness to learn—and you know, Mr. Chairman, that this ties right into my focus on coordinating services between schools and other programs.

I am glad to have this opportunity to learn more about the Migrant Education Program and I look forward to hearing the witnesses.

Chairman KILDEE. Our first witness today is a member of this committee and a very good friend, the Honorable Robert Andrews from New Jersey.

STATEMENT OF HON. ROBERT E. ANDREWS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Mr. ANDREWS. Thank you, Mr. Chairman. Good morning. And I also say good morning to your distinguished ranking member and our new friend, Mr. Miller.

I want to lend my voice this morning to yours and Mr. Goodling's, in particular, who over the years have championed the cause of a group of people who truly must be the most powerless people in American society, and that is young children who are part of migrant families. They don't live in anyone's district. As a matter of fact, they live in a lot of people's districts in the course of a year or a two- or three-year cycle. They are not a part of any political action committee or special interest group. I suppose the huge majority of the time their parents do not vote, by definition.

This is a group of people it would be very easy to forget about and let fall between the cracks. You have not done that, Mr. Chairman. You and Mr. Goodling, I know, for years have been vigilant that the needs of these children be addressed. I thank you for that, and I wanted, in my own limited way, to suggest some ways that I might help and join you in that effort.

In listening to some of the leaders on this issue from my State of New Jersey a few months ago, it became obvious that there are many, many problems involved in the education of migrant children, but one of the most pressing problems is the problem of a lack of continuity in the educational experience.

A child who begins school in September in one district, in one part of the country, may well wind up being in another district in October or November, may wind up being in Puerto Rico, or some other place, for the winter months, and then back in another district in the mainland United States in the spring, then be in no kind of program at all in the summer, unless they are fortunate enough to be in one of the summer programs that have been authorized under this law previously.

There are a lot of dedicated teachers, and there are a lot of dedicated institutions that try to lift those children up along the way. But even as a layperson, even as someone who is not a professional educator, I can understand that the lack of continuity in that child's educational experience must be a major impediment, a major impediment to educational progress.

I would like to suggest two ways that we might use this law to try to deal with that problem, and they both spin out of the rapid advance of technology that we have seen in the last 10 to 15 years.

One is in the area of cable television, and the second is in the area of computers and computer networks.

In the area of cable television, the law in this country, whether it is at the local level or the Federal level, vests and grants a unique economic asset that is the monopoly power and the monopoly right to enjoy a cable television franchise and to be the only kid on the block, the only competitor.

That is truly a public asset that is vested and granted by the law. I think that an appropriate reciprocal obligation for the holder of such a franchise is to take on, where appropriate, the obligation to make viewing services and cable services available to help facilitate the education of migrant children.

There is no good reason why cable operators in New Jersey, or Texas, or California, or any other part of our country, could not be pressed into service in such a way that their good airwaves and auspices could be used to carry an educational program that would have some continuity so the child who begins to receive instruction in September in New Jersey and receives further video instruction in November in Texas and further video instruction perhaps in San Juan in the months of January and February could not have some continuity.

I am not suggesting that migrant children should be taught only by cable television and video. That would not work; I'm sure of that. But, as an important supplement to the human element of teaching, I think it is a tool that we should use, and I don't think it is a tool that should be underwritten and paid for by the taxpayers of the country. I think that it is a legitimate, credible, and responsible request of those who enjoy the cable broadcasting rights in our society and our system to offer that as a part of their public franchise and their public asset.

Second, in the area of computers, the first time I touched a computer in my educational experience was when I was a freshman in college, in 1975. Today, our children in nursery schools, in child care centers, are dealing with computers at the ages of two and three, and they are working with their parents around the kitchen table on computers sometimes even younger than that.

We thought about computers, in the first instance, as kind of a gimmick or a gadget for education. They have become much, much more than that. They have become part of the mainstream of the daily process of communicating and learning.

Another way to attack the continuity problem would be some system—some system—where funding is provided, where experiments and other programs could be used to give children computer access, on a regular basis, to a coherent curriculum and a coherent body of knowledge, so that the classroom experience they are enjoying in person each day could be supplemented and complemented by computer-based curricula and computer-based programming that, again, would have continuity because they would be hooked up to an ongoing system.

I think that the first way we should approach this is to ask some of the leading curriculum developers and computer companies in our country to voluntarily participate. Some of them probably already do and deserve credit for that.

Beyond the voluntary participation, I think it is a wise and good use of the public funds that we put into this program to try to find ways to enhance the computer learning capability of students, not so they can learn how to use computers necessarily, but so that the technology of widely disseminating and sharing information can be used to their benefit, so that they don't suffer so many disruptions and don't suffer such discontinuities in their educational experience.

There may be other examples of technological progress that could help these children. I do not submit that this is an exhaustive or comprehensive list. What I do submit is, I would like to see the committee consider, in this part of the ESEA, some initiatives that would give us the tools, give us the tools to use the advances in information technology to attack the problem of lack of continuity in the education of these children.

Again, I want to close by saying that we hear a lot of rhetoric in politics about political people being selfish and motivated by special interests and motivated by the narrow concerns of the next election. Mr. Chairman, under your work and that of Mr. Goodling, for many, many years, there has been a good faith and concerted effort to educate these children who have absolutely no political voice, who are absolutely cut out of the process. And I applaud and commend you for that. If there is some way I can add my voice to it, I very much want to do so.

Thank you for your attention this morning.

Chairman KILDEE. Thank you very much, Mr. Andrews.

You mentioned the first time you had touched a computer was when you were a freshman in college. I think the first time I touched a computer was when I was a freshman in the Congress. I don't know how close those years were together. But my own children, who are now young adults, from the very beginning of their lives were familiar with computers, and they are just a tool, almost like a pencil, to them now, they are so used to that.

Just briefly, could you describe—say a migrant student is in a particular area, would you describe, say within a day or a week, how they would plug into the school system that is there and plug into this long distance learning?

Mr. ANDREWS. Well, the short answer is, I don't know. The best judgment would be made by the teachers onsite as to the best way to do that. But what I am suggesting to you is, the teachers onsite would have the option of making a part of their curriculum the plug-in to this system. The students would be guaranteed access to the hardware and the technology to make it happen. The teachers would be themselves trained and educated as to the structure of the curriculum.

So let's say that a math teacher in Cumberland County, New Jersey, who is teaching migrant children in the month of September, would know—actually, a better example would be teaching children in the month of May—would know that the National Mathematics Curriculum for second graders was going to cover a certain topic in the months of May and June. She would know that, or he would know that, and would also know that that student had a computer unit that could plug that student into the month of May and June homework assignments and curriculum.

The teacher would then have the option of integrating that program into what she is teaching the student in the second grade in the classroom. It would be a very difficult task for teachers. I don't mean to discount how difficult it would be to integrate that. But I think, if we gave the teacher the tool of integration, he or she could use it wisely, and the teacher would know that the student had been a part of this ongoing curriculum since September.

If the teacher, through the data base and the other aspects that this bill establishes, would know that since September this student had had the opportunity to plug into the mathematics development curriculum, the teacher would know the student had had certain learning experiences throughout that school year and would have a better sense of where the student was coming from.

That's how it would work.

Chairman KILDEE. Thank you very much.

Mr. Goodling.

Mr. GOODLING. Well, I can top both of you. I haven't touched a computer yet and make very sure that I don't touch any machinery in my office. I did once or twice, because I'm a fussbudget on turning off lights. There are some lights I turn off as I pass three, four times a day probably. But I turned off some of those machines on the desks of my staff at night, because I thought they were using energy and shouldn't be, and I guess I disrupted their whole activity, because the computer is programmed to operate at that time. I don't know.

Mr. ANDREWS. I did that once and lost an entire county's worth of names. I've learned not to do that.

Mr. GOODLING. So I don't touch anything anymore.

I thank you for your testimony, and I think we will be searching for all sorts of ways to try to make sure that continuity is one of our major themes. I think you have given us some good ideas.

In some of the proposals that have been tossed around by myself and Chairman Ford, we indicate that, after consultation with the States, the Secretary is authorized to make grants to and enter into contracts with State educational agencies for activities to improve the intrastate coordination, including the use of technology, among State and local education agencies for migrant children. I think that's where you could fill in the blanks.

So I thank you very much for your testimony.

Mr. ANDREWS. Thank you.

Mr. GOODLING. And I agree wholeheartedly that these are the children who have very few advocates in the world to really fight their cause, and we take that responsibility pretty seriously.

Mr. ANDREWS. And I'm sure it is appreciated.

Chairman KILDEE. Mr. Miller.

Mr. MILLER. Thank you for coming.

This is an area, as a freshman, that I'm learning a great deal about. I'm glad there is support outside of this small committee for working on the problems. I look forward to learning more about it and working with you. Thank you.

Mr. ANDREWS. Thank you.

Mr. Chairman, I appreciate your time. I look forward to working with you.

Chairman KILDEE. Thank you very much for your testimony. Thank you very much.

Our next panel consists of Dr. Tadeo Reyna, president, National Association of Migrant Educators, from Kingsville, Texas; Mr. Raul de la Rosa, director, Washington State Supplementary Education Programs for the National Association of State Directors of Migrant Education, from Olympia, Washington; Mr. Wendell Rollason, executive vice president, Redlands Christian Migrant Association, Immokalee, Florida; and Ms. Delia Pompa, education consultant, Boston, Massachusetts.

Dr. Reyna.

STATEMENTS OF TADEO REYNA, PRESIDENT, NATIONAL ASSOCIATION OF MIGRANT EDUCATORS, KINGSVILLE, TEXAS; RAUL DE LA ROSA, DIRECTOR, WASHINGTON STATE SUPPLEMENTARY EDUCATION PROGRAMS FOR THE NATIONAL ASSOCIATION OF STATE DIRECTORS OF MIGRANT EDUCATION, OLYMPIA, WASHINGTON; WENDELL ROLLASON, EXECUTIVE VICE PRESIDENT, REDLANDS CHRISTIAN MIGRANT ASSOCIATION, IMMOKALEE, FLORIDA; AND DELIA POMPA, EDUCATION CONSULTANT, BOSTON, MASSACHUSETTS

Mr. REYNA. Mr. Chairman and distinguished members of the subcommittee, thank you for the opportunity to testify in support of legislation which addresses the educational needs of migrant children.

I am Dr. Tadeo Reyna, president of the National Association of Migrant Educators. I am also the director of the Central Stream Migrant Education Program Coordination Center, situated at Texas A&I University in Kingsville, Texas. The Center provides training and technical assistance to local and State migrant education projects in a 16-State service area.

The NAME organization is proud to present its Comprehensive Plan for the Education of America's Migrant Children. The plan reflects the findings and the recommendations of the National Commission on Migrant Education and, most importantly, the plan reflects the contributions and suggestions from grassroots level practitioners throughout the Nation.

Under section 1201, the NAME plan recommends: number one, an emphasis on funding and services for currently migratory children by switching from a full-time equivalent count to an actual student count as the basis for funding allocations; and, number two, a minimum entitlement of $100,000 to each State education agency to serve migratory children.

Under section 1202, the NAME plan recommends: number one, specific goals for programs in the legislation, such as to assist migratory children in transition between and among schools in attaining promotion and staying on grade level, in making systematic progress toward graduation, and in acquiring competency in the English language.

Number two, program evaluation requirements which link needs assessment and services as related to the goals of migrant education.

Number three, a requirement that State education agencies develop a comprehensive statewide plan to ensure the migrant child with access and equity to school activities, programs, and policies.

Number four, the migrant status of a child, ages 3 to 21 inclusive, for a period of five years.

Number five, the transition of former migratory students into other appropriate programs and services over a two-year period.

Number six, the requirement for States to utilize the Migrant Student Record Transfer System in a timely and accurate manner for the transfer of migrant student records and other pertinent information.

Number seven, the appropriate consultation with parent advisory councils and the involvement of parents in the planning and operation of programs and projects at both the State and local levels, to ensure that parents are informed of school policies and student rights as they move from school to school and State to State.

Number eight, the systematic consultation by State agencies with migrant Head Start and migrant Even Start programs in planning and implementing preschool programs and projects for migratory children.

Under section 1203, the NAME plan recommends statutory language which requires the establishment of:

One, at least three Migrant Education Program Coordination Centers to provide training and technical assistance to local and State education agencies.

Number two, a National Migrant Student Record Transfer System for the transmittal of school records and other pertinent information of migratory children.

Number three, a National Migrant Secondary Service Center to provide and facilitate services to enhance the opportunity for migrant students to graduate from high school.

Number four, a National Technology Center to develop and operate national instructional television services to ensure the continuity of instruction for migratory children as they move from State to State.

Number five, a National Migrant Identification Network to facilitate the identification and enrollment of migratory students.

Number six, any other program, activity, or project, as determined by State administrators of migratory education programs, which supports or improves the coordination of educational services for migratory children.

Under section 1404, the NAME plan recommends a minimum administrative grant of $100,000 to operate a State migrant education program which will assure that every State has the capacity to provide the necessary leadership for migrant education at the State level.

The NAME plan also recommends that grants be made available to conduct research and demonstration projects to improve the effectiveness of educational programs for migrant children; number two, a National Demographic/Ethnographic Study of the Migrant Education Program; and number three, that a portion of funding for numerous elementary and secondary programs be set aside expressly for migrant students, based on the successful implementation of the set-aside within the Even Start Program.

Thank you for your kind attention. I respectfully request that the entire text of the NAME Comprehensive Plan for the Education of America's Migrant Children, which is attached, be made part of the record so that all of the recommendations in the plan may be considered in detail.

Thank you, Mr. Chairman.

[The NAME Comprehensive Plan for the Education of America's Migrant Children is on file at the subcommittee's office.]

[The prepared statement of Tadeo Reyna follows:]

Dr. Tadeo Reyna

TESTIMONY OF THE NATIONAL ASSOCIATION OF MIGRANT EDUCATORS (N.A.M.E.)

Mr. Chairman and distinguished members of the subcommittee, thank you for the opportunity to testify in support of legislation, which addresses the educational needs of migrant children. I am Dr. Tadeo Reyna, President of the National Association of Migrant Educators (N.A.M.E.). I am also the Director of the Central Stream Migrant Education Program Coordination Center, situated at Texas A&I University in Kingsville, Texas. The Center provides training and technical assistance to local and state migrant education projects in a 16-state service area.

The N.A.M.E. organization is proud to present its Comprehensive Plan for the Education of America's Migrant Children (see attachment) through the Elementary and Secondary Education Act (ESEA) which is being considered for reauthorization. The plan reflects the findings and the recommendations of the National Commission on Migrant Education and, most importantly, the plan reflects the contributions and suggestions from grassroots level practitioners throughout the nation.

Under Section 1201, the N.A.M.E. plan recommends:

(1) an emphasis on funding and services for currently migratory children, by switching from a fulltime equivalent count to an actual student count as the basis for funding allocations, and

(2) a minimum entitlement of $100,000 to each state education agency to serve migratory children.

Under Section 1202, the N.A.M.E. plan recommends:

(1) specific goals for programs in the legislation, such as, to assist migratory children: in transition between and among schools, in attaining promotion and staying on grade level, in making systematic progress toward graduation, and in acquiring competency in the English language,

(2) program evaluation requirements which link needs assessment and services as related to the goals of migrant education,

(3) a requirement that state education agencies develop a comprehensive statewide plan to ensure the migrant child with access and equity to school activities, programs, and policies,

(4) the migrant status of a child, ages 3-21 inclusive, for a period of five years,

(5) the transition of formerly migratory students into other appropriate programs and services, over a two-year period,

(6) the requirement for states to utilize the Migrant School Record Transfer System in a timely and accurate manner for the transfer of migrant student school records and other pertinent information,

(7) the appropriate consultation with parent advisory councils and the involvement of parents in the planning and operation of programs and projects, at both the local and state education agency levels, to ensure that parents are informed of school policies and children's rights, as they move from school to school, and

(8) the systematic consultations by state education agencies with migrant Head Start and migrant Even Start programs in planning and implementing preschool programs and projects for migratory children.

Under Section 1203, the N.A.M.E. plan recommends statutory language which requires the establishment of:

(1) at least three Migrant Education Program Coordination Centers to provide training and technical assistance to local and state migrant education projects,

(2) a National Migrant Student Record Transfer System for the transmittal of school records and other pertinent information of migratory children,

(3) a National Migrant Secondary Service Center to provide and facilitate services to enhance the opportunity for migratory students to graduate from high school,

(4) a National Technology Center to develop and operate national instructional television services to ensure the continuity of instruction for migratory children, as they move from state to state,

(5) a National Migrant Identification Network to facilitate the identification and enrollment of migratory students, as they move from state to state, and

(6) any other program, activity, or project, as determined by state administrators of migrant education programs, which supports or improves the coordination of educational services for interstate migrant children.

Under Section 1404, the N.A.M.E. plan recommends:

(1) a minimum administrative grant of $100,000 to operate a state migrant education program, which will assure that every state has the capacity to provide the necessary leadership for migrant education at the state level.

The N.A.M.E. plan also recommends:

(1) that grants be made available to conduct research and demonstration projects to improve the effectiveness of educational programs for migratory children who reside in two or more states,

(2) a National Demographic/Ethnographic Study of the Migrant Education Program, and

(3) that a portion of funding for numerous elementary and secondary programs be set aside expressly for migrant students, based on the successful implementation of the set-aside within the Even Start Program.

Thank you for your kind attention, and I respectfully request that the entire text of the N.A.M.E. Comprehensive Plan for the Education of America's Migrant Children be made part of the record so that all of the recommendations in the plan may be considered in detail.

Chairman KILDEE. Thank you. Without objection, your entire testimony will be included in the record. Thank you, Dr. Reyna.

[The prepared statement of Winford "Joe" Miller, Consultant, and response to it from the Department of Education follows:]

TESTIMONY OF WINFORD MILLER

TO THE HOUSE SUBCOMMITTEE ON ELEMENTARY, SECONDARY AND VOCATIONAL EDUCATION

Mr. Chairman, distinguished members of the Subcommittee, I am grateful for the opportunity to present testimony on behalf of the reauthorization of the Chapter 1 Migrant Education Program. For more than a quarter of a century, this program has expanded educational opportunities for America's most at-risk children, those whose education is repeatedly interrupted while they move with their families for uncertain and low-paying work in the nation's fields and orchards.

My testimony is based on a deep and lasting commitment to this program and the children it serves, dating back to the 1960's. From 1969 through my retirement at the end of 1987, I was director of the Migrant Student Record Transfer System, which represented a pioneering application of technology to tracking a mobile student population and forwarding critical educational and health information to their successive schools. Since my retirement as director, I have continued my involvement by serving as a consultant to a number of Migrant Education programs and to a model Migrant Even Start project. Most recently, I helped develop a *Comprehensive Plan for the Education of Migrant Children* that was submitted to Congress by the National Association of Migrant Educators in November of 1992. This was the most extensive and detailed set of recommendations ever made on behalf of migrant children, and it is very gratifying to note that many of its proposals are reflected in the legislation introduced by my good friends, Congressman Bill Ford of Michigan and Congressman Bill Goodling of Pennsylvania.

I heartily commend Mr. Ford and Mr. Goodling for drafting a bill that clearly identifies the educational needs of migrant children arising from repeated moves, educational disruption, cultural and language barriers, social isolation, poverty, and health and nutritional problems. It is very encouraging to see legislation that proposes to give migrant children an opportunity to meet challenging educational standards. I personally support this most worthwhile objective, which is fully consistent with the purposes and concepts set forth in the proposals which I helped develop for N.A.M.E. With all due respect, however, there are some provisions in the legislation advanced by Mr. Ford and Mr. Goodling which may not provide the most effective means for dealing with the needs of the migrant student population, and which in some cases could be counter-productive to the intent of the legislation.

Although the Migrant Education Program must be defined in the statute as a state grant program--and I salute Mr. Ford and Mr. Goodling for preserving this essential feature--it is equally important that the legislation bill support the principle that Migrant Education is a national program serving the educational needs of children moving between states. While the proposed bill properly focuses on actively migratory children and the educational needs arising from their mobility, it also calls for the discontinuation of the Migrant Student Record Transfer System (MSRTS). Since its implementation in 1970, this system has been the primary instrument for maintaining educational continuity for actively migrating children. To dismantle it would have a chilling effect on efforts to coordinate education for migrant students, and would produce disastrous consequences for many such children.

I have to believe that Mr. Ford and Mr. Goodling, who have been consistent supporters of the Migrant Program and MSRTS for many years, were responding to some gross misinformation concerning the effectiveness and cost efficiency of the system. For example, it is my understanding that the Office of Migrant Education in the U. S. Department of Education informed the Congressmen that the cost of transferring a single student record was $130. If this were true I would have difficulty myself in defending the continued existence of MSRTS. However, the reality is rather different. In the 1991-92 contract year the records system forwarded, by actual count, a total of 3,809,746 student records. This number included 2,126,988 *educational* and 1,543,738 *health* records. If the OME estimate of a $25 million total cost for operating the system at the national, state and local levels was reasonably accurate--and we must remember it is only an estimate--the cost per record transferred comes down to only $6.56 each. For the educational records alone, the cost per record is $11.75, less than 10 percent of the unit cost which Mr. Goodling cited during the hearing on June 30, 1993. And that cost covers everything involved, including data entry, communications, research and development, computers, software and software development, training and technical assistance, and everything else that is needed to sustain a national information network. For the national computer center in Little Rock, Arkansas, which maintains terminals in nearly every state, maintains the data base, generates millions of records and reports, trains users and actually transfers the records for a contract totalling, in 1991-92, $5.65 million, the cost per record was only $1.48.

It will be my pleasure to provide you with ample documentation of the continuing need for this system and of its general effectiveness over the years, even though I have never claimed that it achieved perfection. I will also address several other areas in which I believe the proposed legislation is either inadequate to address the needs of migrant children or potentially self-defeating in the way it would impact upon implementation. These areas include:

The reduction of the eligibility period to 24 months.
The summer school adjustment.
Special treatment for a single state.
Interstate coordination activities.

THE MIGRANT STUDENT RECORD TRANSFER SYSTEM

In September 1991, the National Commission on Migrant Education issued a report on MSRTS based on an intensive two-year study. In spite of the fact that the Commission's work began with a preconceived notion that MSRTS was a failure, the report concluded that the system was the first *and only* national database serving migrant children, that it was supported by a voluntary network of 49 states, that it maintained centralized information on over 600,000 migrant students, and that it was a mechanism for facilitating interstate coordination and cooperation. The Commission found that the potential of MSRTS had been diminished as its functions expanded so that it came to emphasize data management and administrative reports to the detriment of its basic purpose, that of transferring student information. The Commission therefore recommended *not* that the system be discontinued, but that MSRTS be updated and simplified, and that states be required to enter essential educational and health information so that the system could achieve its primary mission.

On the whole, I found the Commission's recommendations to be sensible and useful. I can say this without fear of being accused of blind confidence in the Commission. Indeed, just the opposite is true. The Commission went about its work of studying the effectiveness of MSRTS by ignoring my nearly 20 years as the director of the system. Even though hundreds of people at the national, state and local levels testified about MSRTS to the Commission, I was never invited to share with this body the insights and perspectives acquired from continuous day-to-day responsibility for the system from its very beginnings through its greatest periods of growth and success. As a result, the Commission's report, *Keeping Up With Our Nation's Migrant Students*, lacks one very important perspective--mine. The Commission was essentially correct in depicting a steady digression of MSRTS away from its original mission of transferring records. What it does not reflect is that most of the diversion--excepting only the decision by Congress in 1974 to use MSRTS's data as the basis for allocating funds--took place in very recent years, *i.e.*, after I was no longer the director.

Throughout my years as director I was asked by state directors of migrant education to produce reports of various kinds. It was only natural for me to be responsive to the state directors, because it was they who developed the records transfer system in the first place. Recognizing the need for a dependable process for getting critical educational information to schools receiving migrant students, the directors agreed early on to set-aside a portion of each state's entitlement to fund the MSRTS. We operated this way until the MSRTS was written into Section 143 of the law, specifically to ensure continuity for the system in case any state ever balked at the ideas of reserving two percent of its funds for records transfer. Even though MSRTS has been funded as a Federal contract under a set-aside since 1974, it remains defined in the law as a state system of records. So I tried to be responsive to the state directors, but I tried also to limit reports to those that helped to identify mobile migrant children and helped enhance continuity in their education.

However, my successor, with encouragement and support from the Office of Migrant Education, developed a complex and costly process for using MSRTS to generate needs assessment and evaluation reports for all students, states and school districts. The states were already obligated to produce state and individual needs assessments and to evaluate their programs, so the use of MSRTS, funded under the set-aside for interstate coordination, to help states fulfill basic program requirements was dubious from the outset. Nevertheless, enormous expenditures of time and money were in support of this activity, which was advanced by OME staff, Technical Assistance Centers, my successor as MSRTS director, and a small group of state directors who went along for the ride. In 1991, the Assistant Secretary for Elementary and Secondary Education and the director of OME testified to the National Commission that the Department of Education valued MSRTS very highly *as a source of data on children enrolled in the Migrant Education Program*. They said nothing about its role in transferring records. Nor did OME or the Department make any effort to improve the utilization of MSRTS to transfer records that was in any way comparable to its major campaign to develop and implement the MSRTS-based Migrant Education Needs Assessment and Evaluation System (MENAES).

The leadership in the Office of Migrant Education, while finding a non-Federal system of records (MSRTS) very useful for it own information purposes, actually went out of its way to discourage improvements in the transfer of student records. The National Association of State Directors of Migrant Education responded in a very positive manner to the recommendations of the National Commission to improve MSRTS. The directors association brought in mainstream classroom teachers and other educators to simplify the system and focus it on helping teachers help children. They surveyed over 10,000 classroom teachers across the nation, and from their input designed a simple one-page form to make MSRTS placement and health information readily accessible to any educator. The new form was piloted and was ready to be implemented in 1992. But MSRTS could not implement it, because the Department of Education issued a freeze order that forbade MSRTS from undertaking any new activity while it was preparing specifications for the next MSRTS contract to be competed. That freeze has remained steadfastly in place for over a year, preventing activation of what would surely represent the biggest improvement in the usefulness of MSRTS information in many years.

I have to wonder whether OME deliberately misled Congress in providing an unsupported "worst cast" scenario on the cost of transferring records. I understand that the $130 figure was computed on the basis of something like 200,000 qualifying moves by migrant students during the year. This represents a significant undercounting; in calendar year 1991, for example, MSRTS recorded a total of 296,826 moves made by 240,240 students. (Some made two or more qualifying moves.) However, the actual number of moves by migrant students is far greater than the number of *qualifying* moves. When a migrant student homebased in Texas relocates in Michigan in the spring so his parents can work in the crops, the move qualifies the child for the Migrant Education Program and leads to the transfer of educational and health information from Texas to Michigan. However, when the family returns to Texas in the fall, it is *not* a qualifying move, because it was not a move made for the purpose of seeking seasonal agricultural work. But it is nevertheless a move triggering the sending of student information from Michigan to Texas. Most migrant students have more total moves than qualifying moves. Even a certain percentage of formerly migrant students can be expected to move during the course of a year, not necessarily for qualifying reasons, and every move by every migrant student also generates the transfer of records.

Surely, the program officials in the Office of Migrant Education know that there are far more than 200,000 moves made by migrant children during the course of a year. One cannot help wondering if their interest in promoting MSRTS as a data management system and a national system of records--for which they expended an estimated $1,000,000 in developing specifications while engaging in a bare minimum of dialogue with the system's users--wasn't coupled with a desire to destroy its credibility as a records transfer system.

Whatever the motivations of OME, it is obvious to me that representatives of that office have given Congress a badly distorted image of the cost-effectiveness of MSRTS. Let's look at some facts:

Of the total records transferred, 876,000 included information about test scores. Every educational record contained information on the child's grade level. (Is anything more fundamentally important to the continuity of a child's education than placement in the correct grade?)

Over 500,000 of the records contained credit accrual information, including subjects and course titles. (Is anything more vital to the secondary student?)

Over 114,000 records included special education contact data. (Until one has first-hand experience, it is hard to appreciate the difficulty of completing assessment of possible handicapping conditions in mobile migrant children. How valuable is it to have known that assessment information, and possibly an IEP, are already available!)

About 100,000 records included medical alert information. (Can anyone assign a dollar value to information that a student, newly enrolled in a school, has a heart condition that prevents participation in physical activity, or requires certain medications to prevent or treat seizures?)

Considering the value of the information transferred and the reality that it may not be available through any other medium, a fair observer would have to conclude that MSRTS is reasonably cost-effective to be transferring almost 4 million records a year at a cost of $6.56 each. Additionally, if one is to take at face value the observation of the National Commission that MSRTS has over-emphasized its derivative role in the generation of management data and administrative tools, one would have to concede either that those activities have been done at no additional cost or that the actual cost of transferring records is a good deal less than $6.56 a record. With the implementation of a simplified record and assurance of timely receipt of information--two objectives of the initiative undertaken by state directors in response to the National Commission--a student record would be a bargain at twice that cost.

If Mr. Ford and Mr. Goodling proposed to end MSRTS as a response to projections that a new MSRTS being configured by the Department of Education would cost in the neighborhood of $18 million, as I have heard, then I must say I cannot blame them for feeling that is far too much money. The Arkansas Department of Education has been operating MSRTS for less than $6 million a year--less than $5 million currently. To improve MSRTS hardly requires a doubling or tripling of the investment, nor would operation of a dual system during an extended transition period be necessary had sufficient planning been done in anticipation of the recompetition. I am not against recompetition. During my tenure as director of MSRTS, the contract was up for re-bidding on at least three occasions, but during that entire time no state wished to bid against us. If MSRTS is restored to the Migrant Education legislation, as I feel it must be, it would be reasonable to include provisions for a periodic recompetition, preferably every ten years.

I am greatly concerned that the impetus to discontinue MSRTS has been fueled by the notion that alternative methods for doing all the things that MSRTS does for migrant students are readily available. I submit that this principle reflects wishful thinking far more than it does reality. True, this is the age of technology, but to assume that all schools in all states are tied into statewide data bases is totally premature. To venture that these databases, many of them in no more than talking or planning stages, could communicate with one another to share information on migrating children is a blind leap of faith. To believe that all schools have fax machines and computers they can use to transfer information is wildly optimistic, but not so unrealistic as the expectation that they will willingly pay the long-distance charges for faxing the contents of student cumulative folders across thousands of miles. Without the unified data provided by MSRTS, many schools enrolling migrant students would have difficulty even locating the most recent school such students have attended. Used in conjunction with the basic MSRTS, fax transmissions can be an effective means of transmitting data in certain situations. We need to take more advantage of the possibility they present, but we cannot afford to depend on them.

State-level data bases may sound like an attractive alternative, but the reality is that they are not yet at a stage comparable to MSRTS prior to 1970. Migrant Education regional directors in California boldly advanced to Congress a plan for replacing MSRTS with a state system, failing to mention that California is still doing feasibility studies for such a system. The studies so far show only that there is a great need for such a system. There are about 1,000,000 student transfers each year, each requiring a transfer of student records. Using primarily manual methods--photocopying, mailing, *etc.*, California spends about $15 per transfer. MSRTS has been beyond that process for more than 20 years, and is doing it more cheaply on a national basis than our nation's most populous state can do it internally. MSRTS also does it faster. In 75 percent of California's school districts, it takes two to six weeks to receive a student record. That's probably about what it would take to transfer records in any state without an automated system. How much longer it would take on average to transfer records between states--without MSRTS--is anybody's guess. MSRTS, even using the U. S. Postal Service for delivery, gets most records to school districts within one week from the time students are enrolled.

To hold states responsible for transferring student records while withdrawing from them the instrument for doing so, as the legislation proposes, would be an act of self-destruction. Either states would ignore the requirement, or they would expend far more of their Migrant Education allocations for maintaining data bases and communicating information to other states than they are now obliged to do while using MSRTS. Educational continuity for migrant children might be seriously imperiled by the inconsistency of information maintained by individual states. Unless, of course, the states go together to standardize the information and the processes for transferring it, signifying that they are re-inventing a national migrant student record transfer system all over again.

The question of what would replace MSRTS as an instrument for counting the migrant children who reside in a state is essentially unanswered in the proposed legislation. To call for the Secretary of Education to devise a means of counting such children three times a year offers no guidance to the Secretary on how to proceed. The most credible estimates of the migrant population are probably those issued by the Department of Labor, but the "Statistics on Agricultural Workers" are only rough estimates, and to project the numbers of children based upon the estimated number of migrant workers--many of whom travel without families--requires extrapolation that is almost reduced to speculation. Moreover, the seasonal agricultural work as defined by Labor does not include all the work classifications included in the Migrant Education Program. If the Secretary looks at State Education Agency data on daily school attendance--with a proviso that migrant children be labeled in a manner appropriate for counting--he will be dealing with school days, rather than days of residency, as specified in the current and proposed legislation. How would the Department of Education translate Full-Time Equivalent days enrolled in school into Full-Time Equivalent days of residency? How would students enrolled in summer school be counted when they never appear in Average Daily Attendance reports?

There is no escaping one essential fact that the Migrant Student Record Transfer System is the only source of accurate information on the unique population of children eligible for the Migrant Education Program. Only MSRTS has data on children of migratory farmworkers, migratory dairy workers, migratory fishermen, and all the other agriculture- and fishing-related workers included in the eligibility for the Program. If Congress would abandon the Full-Time Equivalent approach to counting children in favor of the single child count advanced in the proposals of the National Association of Migrant Educators, the process of counting migrant children without MSRTS would become more feasible. Even then, use of MSRTS would be the simplest and most reliable means of obtaining the information.

One more item before I leave the subject of MSRTS: I wish the members of the Subcommittee to be aware that we who have been deeply involved with MSRTS over the years are not the only parties leaping to its defense. In fact, many outside agencies and organizations have viewed MSRTS with great interest as an excellent application of technology to address an educational need, and as a model for storing, retrieving and transferring educational data for other student populations. It is worth noting that top education officials of the Republic of Mexico, as a follow-up to the 1991 Border Conference, toured the MSRTS facility in Little Rock and started plans for development of a complementary system South of the Border. Very recently, the National School Boards Association adopted this resolution:

> *NSBA urges Congress to enhance the migrant student records tracking system (MSRTS) and encourages states to become active participants in the system.*

There are few failings in MSRTS that cannot be addressed through constructive and cooperative endeavor. The efforts of state directors in response to the National Commission recommendations and the efforts of the current leadership at MSRTS make it clear that the will to improve the system is there. Major commitments have been made, the process is well under way. There should be no turning back now, much less total abandonment.

PERIOD OF ELIGIBILITY

Almost everyone who has studied the Migrant Education Program in recent years has stated in various ways that something must be done to focus more resources on currently migrant children, who are the priority group for the Program and the original reason for the creation of the Program. I can only add my agreement to the chorus calling for some means of providing a greater concentration of services to currently migrant children.

It is apparent that Mr. Ford and Mr. Goodling were cognizant of this concern when they drafted legislation which would reduce the total period of eligibility for the Migrant Education Program by two-thirds, trimming the six-year period back to just two years. I can praise my two long-time friends for their intent in this matter, but I feel that this is a move that would hurt migrant children in more ways than it would help them.

First, it would be expected that a reduction of the eligibility period would produce a significant redistribution of funds among the 49 states, Puerto Rico, and the District of Columbia participating in the Migrant Program. More funds should accrue to those states enrolling higher percentages of currently migrant children, and fewer funds would go to states enrolling higher percentages of formerly migrant students. In general, it works out that way, but the impact is not always what one would hope it would be. According to estimates projected by Al Wright, my colleague in the preparation of the plan for the National Association of Migrant Educators, the plan would indeed benefit those states which are heavily impacted by spring/summer influxes of currently migrant children and which have very few formerly migrant children. Montana and North Dakota, which enroll the highest percentages of currently migrant students (94.3 and 93.7 percent, respectively) would have received increases of 81.7 percent and 81 percent in their unadjusted allocations for FY94 had this provision been in place this year and the funds available been the same. South Carolina, Minnesota, Wyoming, Virginia, Ohio, and Wisconsin, all states enrolling significant majorities of currently migrant children, would have received the next largest increases, ranging from 73 percent for South Carolina down to about 50 percent for Wisconsin. (The estimates do not compensate for the change in the summer school adjustment proposed by Mr. Ford and Mr. Goodling.)

But the formula would not have worked as well in other instances. Two significant examples: the State of Texas, which is homebase to 45,000 students who migrate annually to 40 or more other states and to 25,000 other students who migrate within Texas, would have experienced an increase of only 7.7 percent. On the other hand, the State of Alaska would have received an unneeded increase of almost 44 percent. (Alaska is a special situation to which

I devote separate section below.) There is also the situation at the other end of the spectrum: Rhode Island would lose 49 percent of its funding, Connecticut 35.7 percent, New hampshire 34.7, Puerto Rico 33.6 percent, and Louisiana 32.9 percent. Losses of this magnitude are difficult to absorb.

I feel obliged to point out that the proposal advanced by the National Association of Migrant Educators would accomplish the goal of sending needed additional monies to States like Montana, Ohio, and Wisconsin, while minimizing the effect of reductions on states which lose money. You have already heard the testimony of Dr. Tadeo Reyna, the President of N.A.M.E., and you have seen the *Comprehensive Plan*, so I will not reiterate the details. Applying the N.A.M.E. child-count proposal to FY94 allocations, 33 states would have gained in funds, 17 would have lost, and one would be essentially unchanged. Under the two-year provision of the Ford-Goodling bill, 29 states would have gained in funding and 22 would have lost. Increases to states serving primarily currently migrant children would be generally comparable under either plan, except that the N.A.M.E. plan automatically adjusts downward for excessive FTEs generated in summer school programs. (The reasons for this process are discussed in the next section.) The Ford-Goodling bill also contains a provision to correct certain misuses of the current summer school provision, but no information is available on which to calculate its impact on prior distributions of funds. Perhaps the most salutary feature of the N.A.M.E. plan would be that it would cost only one state--Vermont--as much as 26 percent of its present funding level. Three other states would suffer a reduction of 20 percent or more. California's funding would be reduced by 13.6 percent under the N.A.M.E. plan, by 15.4 percent under the two-year provision. *(See Appendix)*

While contending that the unique child count plan advanced by N.A.M.E.--as per my suggestion, I might add--is slightly superior to the two-year eligibility approach for redistribution of funds, I must object to the two-year provision for other, and fundamentally more important reasons. Like almost everyone who has worked with and around migrant children, I am firmly persuaded that the effects of migration on children last far beyond two years--probably even beyond six years. Although I would concede that after a certain period of time as a formerly migrant student a child should become less dependent upon the Migrant Education Program, I am unconvinced that the needs of migrant children can be addressed by the Chapter 1 basic program after only two years in the migrant program. Finally, I am gravely concerned that members of the Budget and Appropriations Committees of the House and Senate would interpret the action initiated in this Subcommittee as a pretext for a proportionate reduction in overall funding for the Migrant Education Program.

To address the latter concern first: I have used MSRTS reports of Full-Time Equivalent enrollments by years of eligibility to determine that the limiting of eligibility to 24 months would have reduced the total funding base to 53.1 percent of its original size. Instead of 722,626.39 migrant child FTEs on which to base the distribution of funds, there would be only 383,911.91 FTEs, a reduction of almost 47 percent. While I firmly believe Mr. Ford and Mr. Goodling would not personally countenance reduction in funding, they may have created an opening for those looking for an easy way to lop a hundred million off the Federal deficit, or to channel more money into some other program. I don't know what the chances are of something like this happening, but it is a chance I would not wish to take. The impact on the Migrant Education Program would be disastrous. If the appropriation were cut by 47 percent, every state would lose money, even those that would have gained 81 percent under the two-year provision at the present funding level.

If we had suffered a 47 percent reduction this year, we would have had only $152.8 million to divide among the states instead of the $287 million available after the Department of Education set-aside slightly over $15 million for the Section 1203 interstate coordination program, primarily to fund the new MSRTS contract. Michigan would have received only $7.5 million instead of the $11.8 million it actually received; California just $44.2 million instead of $98.3 million; Florida $13.5 million instead of $20.6 million; Pennsylvania $2.1 million instead of $4.3 million; Texas $22.6 million instead of $39.7 million. Even states with almost all currently migrant students would have lost funds--Montana about $13,000, North Dakota about $13,000, South Carolina about $15,000. (These estimates do not account for a final adjusted allocation made by the Department in early July by returning some of the 1203 set-aside to the state grant program.) *(See Appendix for other estimated impacts)*

While the threat of funding cuts to match the reduced number of FTEs is most daunting from an overall perspective, it is just as daunting to the welfare of the individual migrant child that his or her eligibility for Migrant Education Program services comes to an end after just two years and whatever fraction of a school year remains after the two-year anniversary date. Both the National Commission and the major descriptive study for the Department of Education by Research Triangle Institute concluded that formerly migrant children continue to demonstrate educational needs long after they stop migrating. Knowing that the need is there, why would we want to deny children programs and services because of an arbitrary cut-off date?

The underlying assumption, of course, is that the Chapter 1 basic program will address unmet needs of these children after they are no longer eligible for the Migrant Program. While I certainly encourage the notion that migrant children should be given access to all programs and services, funded by any and every source, it would require unbounded and unwarranted optimism to suppose that the Chapter 1 program would be able to serve the formerly migrant population after two years. I would not accuse any of our friends in Chapter 1 of a lack of will or a commitment to help all disadvantaged students. The simple truth is that Chapter 1, like Migrant Education, lacks the resources to serve all who need its help. I have heard that Chapter 1 serves only about 44 percent of the eligible population. If this is approximately correct, it signifies that Chapter 1 serves a lower percentage of eligible that the Migrant program, which serves about 55 percent of those qualifying. I would like to point out the testimony of Mr. Wendell N. Rollason, the highly respected migrant advocate from Florida, who told the Subcommittee:

> *Chapter 1 basic in Florida, since its inception as Title I, has essentially been an urban program. Our state officials knowledgeable in this area advise me that were the "former migrant" youngster, now in Migrant Ed., assigned instead to Chapter 1, only 50 percent of those would actually get into that program. This would be within the Florida reality that today only 50 percent--and this is a vague 50 percent--of all our children needing such remedial services are receiving them in the first place. So now we seem to be down to perhaps 25 percent of former migrants who would be accommodated in Chapter 1 when elected from Migrant Ed.*

I am sure that the situation in other states is much like Mr. Rollason describes in Florida. Chapter 1 funds have always tended to be concentrated in urban areas, and this could be even more so if Congress re-directs the basic Chapter 1 formula to place more of the funding into the greatest concentrations of poverty. Migrant children are more likely to be enrolled in rural schools

BEST COPY AVAILABLE

than in urban schools, so their access to Chapter 1 is further limited by circumstance of geography.

While I would like to see the Chapter 1 program always available as an option for migrant children, even currently migrant children, when it can meet their needs, I call upon the Subcommittee to recognize the real-world limitations on Chapter 1's capacity to serve any significant proportion of formerly migrant children in an appropriate and dependable manner.

SUMMER SCHOOL ADJUSTMENT

In proposing language that directs the Secretary of Education to account for differences in costs of summer school programs, Mr. Ford and Mr. Goodling have recognized that problems exist in the way the current summer school adjustment is carried out. The vagueness of the formula that has been applied by the Department of Education since this provision was enacted into law resulted in exploitation of the adjustment as a means of generating additional FTE credits, and additional funding, by many states. The original purpose of the summer adjustment was to direct more funding to states highly impacted by currently migratory children during the summer months. To set up a summer school meant that the migrant Education Program was no longer a supplemental program attached to an operational school--the Migrant Education Program *was* the school, and had to pay all the teachers and staff, all the overhead costs, food service and transportation. Receiving only a fraction of an FTE per child to do so, such states as Wisconsin, Minnesota, and North Dakota would have been unable to offer meaningful school programs that not only provided educational experiences, but also prevented the children from having to go with their parents into the fields as the worked. The summer school adjustment was designed as a means of enhancing the value of the FTEs of summer school enrollees so that more funds would be generated to operate the programs.

While the clear intent of the adjustment was to help states cover the additional costs of operating full-scale, school-based programs for currently migrant students, there was nothing in statute, regulation, policy or anything else that prevented states from claiming the additional summer FTE credit for formerly migrant students, or for alternative programs that did not cost as much to operate as the site-based programs. Ultimately, it was discovered that any eligible migrant child could generate additional funding by being enrolled in anything that remotely resembled an educational program--even a pseudo-program in which children would be given a couple of books to read during the summer and would be contacted at home two or three times during that period. Over the last five years, more and more states began to use such gimmicks as a means of enhancing their state allocations. Evidence has recently surfaced that some states have not only stretched the definition of what constitutes a "program" to absurd lengths, but they are enrolling children for the maximum period permitted under the formula, even if some "summer" enrollment days take place while the regular school term is still in session. The Office of Migrant Education has issued guidance forbidding the latter practice, but has to this point not acted to enforce it. Its position on the low-cost, home-based programs is that such programs cannot be excluded from the summer formula, so long as they address identified needs of the students enrolled.

The widespread recent exploitation of the summer funding formula is reflected in the nationwide increase in FTE totals generated by summer enrollments. The number of such FTEs has more than doubled in just five years. In calendar year 1992, a total of 105,749 FTE credits were based on summer enrollments, up from only 49,494.62 in 1987. The number was three times as large as the total only seven years earlier. The summer FTEs accounted for 14.6 percent of the total national FTE count in 1992, as compared to only 11.3 percent in 1987 and 7.8 percent in 1985. For these numbers to balloon like this during a period when constant-dollar funding for the Migrant program was steadily declining, when there were fewer resources available to conduct real summer schools, provides a clear indication of the prevalence of this practice. Apparently, about half of the states engage in some form or other of exploitation of the current system, most of which is perfectly legal under the current law.

I commend Mr. Ford and Mr. Goodling for recognizing that a change had to be made, but I do not believe their proposed solution will be adequate. To differentiate among summer school supplemental funding based upon variances in cost will require some complicated formulas and some potentially burdensome paperwork. Not only will an inordinate complexity be created, but the formula also provides incentives for states to choose more expensive options for summer school and, even worse, to funnel money that could serve migrant children during the regular term into summer projects. I would hate to see the migrant program become a summer-only program, but this proposal would be a signal to many states to move in that direction.

The best way to eliminate the summer school shenanigans and still meet the real needs of currently migrating children is to adopt the unique child count formula proposed by the National Association of Migrant Educators, as cited above. Using this approach, a migrant child who resides in a receiving state for two or three months of the year will generate enough funds for that state to provide the most appropriate type of summer program. As you could see from the Comprehensive Plan submitted by N.A.M.E. as a part of its testimony, states such as Montana, Ohio and South Carolina which are heavily impacted by currently migrant children would receive significant increases in funding without the necessity for "playing games", as some states are now doing. They would have enough funds to offer full-scale programs, but they would not lose money by using a lower-cost alternative strategy *whenever such as alternative was appropriate to a child's needs*. The flexibility to select from various delivery models is, I believe, very important to the successful education of migrant children.

SPECIAL TREATMENT FOR A SINGLE STATE

Mr. Ford and Mr. Goodling have chosen to move the eligibility definitions from the regulations into the text of the statute. I am not sure whether this is in itself either a good thing or a bad thing. However, it did call my attention to the fact that the eligibility definitions contain a special provision that was written into the definitions to benefit a single state. I would like to direct that attention of the Subcommittee to the language stating that the eligibility provisions include

> *children of migratory fishermen if such children reside in a school district of more that 18,000 square miles and migrate a distance of 20 miles or more to temporary residence to engage in fishing activity.*

This provision was written in to benefit a single state--Alaska. I found it hard to believe, but I have learned that Alaska's Migrant Education funding has increased *by more than 11,000 percent* since this provision was placed into the regulations. The State of Alaska now receives over $10 million in migrant education funds, more than all but five other states. That's good reason to ask, why does Alaska have this special provision, and who are these Alaska migrant children? Most of them, as I understand it, are Eskimo children who move with their families every summer to a fishing camp and return in time for school in the fall. Only about one percent of Alaska's migrant children have moved from another state--the rest all move within the state, and according to the definition they only have to move 20 miles.

The National Commission's final report said flatly that these children do not belong in the Migrant Education Program, because they move only short distances and their education is not interrupted. I'm not prepared to go that far, but I do believe that this is a matter worthy of your attention. It hardly seems proper to provide special treatment for one state, especially since Alaska has never made a case for the educational needs arising from these annual fishing trips. To specify a 20-mile move as the entry level to the Program strikes me as an insult to the migrant children who move hundreds or thousands of miles from bases in Texas, Florida and other states. I refer you to a proposal in the N.A.M.E. *Comprehensive Plan* for a demographic/ethnographic study of families representative of all the activities which qualify for Migrant Education so that Congress can have a scientific basis on which to judge the suitability of various classes of agricultural and fishing activities for the Migrant Education Program. This study would be of immense value. However, the Alaska situation may require immediate action. That state now receives over three percent of the total Migrant Education budget even though its program has virtually no relationship whatever to the national program. In Alaska, one out of every 16 children enrolled in school is classified as a migrant. In California, with possibly the world's greatest concentration of farmworkers, it's less than one out of 50. Something is definitely out of synch, and I believe the Subcommittee should look into it before engraving Alaska's special privilege into the law.

INTERSTATE COORDINATION ACTIVITIES

Interstate coordination has always been the essential element of Migrant Education. Since 1978 it has been enhanced in the legislation through a section of the law providing for a set-aside for interstate coordination activities. This started life as Section 143, became 1203 in the Hawkins-Stafford bill, and would be Section 1204 under the proposed legislation. Whatever the numerical designation, I am grateful to Mr. Ford and Mr. Goodling for continuing this provision. However, I would like to see it changed.

At the urging of state directors, Mr. Ford and Mr. Goodling supported language in the Hawkins-Stafford bill that provided for grants and contracts to be made "in consultation with and with the approval of the states." Since 1988, however, there has been considerable dissatisfaction with the process for choosing Section 1203 projects for funding. While there has been almost endless consultation, virtually nothing has been done in terms of providing the states a chance to actually approve projects for which the set-aside funds would be expended. Even worse, the Office of Migrant Education has essentially coopted the Program Coordination Centers, which are intended to serve the states, and has used these centers to carry out some of its own functions and to provide services and materials for its own uses. OME was also responsible in large part for the failure of the Secondary Credit and Accrual Project to address the objectives spelled out in the legislation.

I will not attempt to revisit the numerous complaints coming from the states vis a vis OME's handling of Section 1203. I will simply state my position: the language and intent of the law make it clear to me that Section 1203 funds are reserved to the states for their collective use in addressing interstate coordination needs. The Department of Education has only a fiduciary role in distributing those funds to the states in the form of grants, contracts or cooperative agreements. Both parties have a continuing interest in assuring that the funds are used to address interstate coordination, cooperation and communications issues affecting the education of migrant children who travel across state lines.

Congress can assure that the objectives of the interstate coordination section are met by adopting the language proposed by N.A.M.E. This language would assure smoother implementation of 1203 projects by placing them all in the form of grants instead of contracts, which entail more cumbersome applications and documentation. It would also end the sometimes aimless discussions of what priorities for interstate coordination projects should be--it specifies projects that address the most compelling continuous needs in the coordination of program services across state lines. These include:

Migrant Education Coordination Centers
A National Secondary Services Center
A National Migrant Identification Network
A National Instructional Television Services
Migrant Student Record Transfer System

The language proposed for MSRTS is designed to ensure that it is operated as a system for transferring records. There is ample documentation for all of the projects in the testimony submitted by Dr. Reyna on behalf of N.A.M.E. I would only like to add a comment about the proposed national television service. The Ford-Goodling bill contains numerous references to use of technology, but places the usage at the state level. For an interstate migrant population, the only way to effectively harness technology is from a national perspective. A national television service could do more to bring continuity to the education of migrant children than any other service. Imagine--a migrant child can actually have the same teacher wherever he or she moves. The television service has already been successfully piloted. Now its use in the delivery of a course counting for high school credit is also being piloted. The developers of the system have received encouragement and support from Frank Withrow, former director of the Star Schools program and Dr. Linda Roberts of the Office of Technological Assessment. At a cost of four to six million dollars annually, the national instructional television service would be one of the most cost-effective uses of Migrant Education money--but it can only be done from the national level.

SUMMARY

In closing, I would like to thank you again for this opportunity. I want you to know that I am not only speaking to these issues based on experience, but I am also speaking from the heart. I have no personal stake in the future of the Migrant Education Program, only an abiding interest in having the best possible program for migrant children. I would also like members of the Subcommittee and their staffs to know that I will be available at any time should they want to ask me questions about any part of my testimony or to obtain additional information.

Good luck to you in your efforts to draft legislation to improve education for all children.

BEST COPY AVAILABLE

APPENDIX I

PROJECTED IMPACT ON STATE MIGRANT EDUCATION FUNDING UNDER LEGISLATION PROPOSED BY CONGRESSMAN BILL FORD, CHANGING TOTAL ELIGIBILITY PERIOD TO 24 MONTH

PROJECTIONS AS APPLIED TO 1992 FTE COUNTS FOR 1993-94 FUNDING

STATE	PERCENT CHANGE	ESTIMATED ALLOCATION
AK	+ 43.697	$ 14,659,051
AL	+ 3.191	1,941,832
AR	- 5.684	3,281,663
AZ	+ 8.747	7,256,134
CA	- 15.421	83,151,993
CO	+ 22.050	2,989,540
CT	- 35.702	1,421,654
DC	- 24.556	131,256
DE	- 20.706	320,914
FL	+ 23.571	25,440,042
GA	+ 30.660	5,092,600
IA	+ 32.797	359,869
ID	+ 11.184	4,315,407
IL	+ 9.444	1,806,830
IN	+ 45.301	2,979,620
KS	- 1.646	4,817,230
KY	- 1.059	4,772,329
LA	- 32.923	1,727,766
MA	- 14.375	4,065,180
MD	+ 32.883	285,683
ME	- 5.928	3,182,203
MI	+ 19.106	14,144,411
MN	+ 67.729	2,936,209
MO	+ 13.893	737,314
MS	- 23.465	1,414,792
MT	+ 81.760	867,824
NC	+ 17.011	4,642,874
ND	+ 81.013	573,596
NE	+ 48.699	1,586,817
NH	- 34.757	55,016
NJ	- 19.051	874,723
NM	- 9.034	1,379,095
NV	- 27.389	423,667
NY	- 14.722	5,531,210
OH	+ 54.848	2,113,957
OK	+ 31.437	1,516,113
OR	+ 12.622	10,836,726
PA	- 8.726	3,962,669
PR	- 33.566	3,116,317

STATE	PERCENT CHANGE	ESTIMATED ALLOCATION
RI	- 49.180	104,985
SC	+ 73.078	392,906
SD	- 10.328	378,121
TN	+ 2.029	153,261
TX	+ 7.723	42,719,179
UT	- 4.083	927,997
VA	+ 56.434	604,122
VT	- 19.927	895,728
WA	+ 5.007	12,663,167
WI	+ 49.277	1,045,794
WV	+ 47.615	49,448
WY	+ 64.665	320,614

THE BIGGEST GAINERS

STATE	PERCENT GAIN
MONTANA	81.760
NORTH DAKOTA	81.013
SOUTH CAROLINA	73.078
MINNESOTA	67.729
WYOMING	64.665
VIRGINIA	56.434
OHIO	54.848
WISCONSIN	49.277
NEBRASKA	48.699
WEST VIRGINIA	47.615
INDIANA	45.301
ALASKA	43.697
MARYLAND	32.883
IOWA	32.797
OKLAHOMA	31.437

(29 STATES WOULD HAVE
GAINED IN FUNDING FOR 92-93
UNDER THIS FORMULA)

THE BIGGEST LOSERS

STATE	PRECENT LOSS
RHODE ISLAND	49.180
CONNECTICUT	35.702
NEW HAMPSHIRE	34.757
PUERTO RICO	33.566
LOUISIANA	32.923
NEVADA	27.389
DISTRICT OF COLUMBIA	24.556
MISSISSIPPI	23.465
DELAWARE	20.706
VERMONT	19.927

ESTIMATED CHANGE IN STATE MIGRANT EDUCATION PROGRAM ALLOCATIONS UNDER TEXAS RECOMMENDATIONS

BASED ON ACTUAL FY93 ALLOCATIONS
WITH 10 PERCENT SETASIDE FOR INTERSTATE PROJECTS

STATE	ESTIMATED ALLOCATION	PERCENT CHANGE OVER ACTUAL
AK	$ 10,657,980	+ 4.5
AL	2,505,551	+ 33.1
AR	3,889,628	+ 11.8
AZ	7,947,632	+ 19.1
CA	79,388,783	- 19.2
CO	2,998,834	+ 22.4
CT	1,080,015	- 51.1
DC	118,767	- 31.7
DE	319,186	- 21.0
FL	23,740,428	+ 15.3
GA	3,788,191	- 2.8
IA	568,460	+109.8
ID	4,510,609	+ 16.2
IL	1,438,658	- 12.9
IN	2,389,181	+ 16.5
KS	3,575,533	- 27.0
KY	4,058,004	- 15.9
LA	1,752,238	- 32.0
MA	1,985,098	- 58.2
MD	266,201	+ 23.8
ME	2,896,228	- 14.3
MI	10,334,451	- 13.0
MN	2,962,276	+ 69.2
MO	781,663	+ 20.7
MS	1,618,876	- 12.4
MT	603,989	+ 26.5
NC	3,025,095	- 23.8
ND	722,933	+128.1
NE	1,368,115	+ 28.2
NH	17,262	- 79.5
NJ	762,329	- 29.4
NM	1,651,831	+ 9.0
NV	553,527	- 5.1
NY	2,605,258	- 59.8
OH	2,392,786	+ 75.3
OK	1,626,600	+ 41.0
OR	9,899,458	+ 2.9
PA	2,237,257	- 48.5
PR	2,885,145	- 38.5

APPENDIX II

IMPACT OF FORD-GOODLING BILL ON STATE FUNDING IF TOTAL FUNDING IS CUT PROPORTIONATELY TO REDUCTION IN FTES, BASED ON UNADJUSTED FY94 ALLOCATIONS

STATE	ESTIMATED ALLOCATION (+/- 2 %)
AK	$ 7,787,958
AL	1,031,043
AR	1,743,459
AZ	3,854,988
CA	44,176,408
CO	1,588,262
CT	755,286
DC	69,733
DE	170,914
FL	13,515,607
GA	2,705,561
IA	191,189
ID	2,292,659
IL	959,920
IN	1,582,992
KS	2,559,264
KY	2,535,410
LA	917,915
MA	2,159,720
MD	151,776
ME	1,690,619
MI	7, 514,544
MN	1,559,929
MO	391,715
MS	751,641
MT	461,051
NC	2,466,634
ND	304,736
NE	843,033
NH	29,229
NJ	464,717
NM	732,676
NV	225,083
NY	2,938,583
OH	1,123,088

OK	805,470
OR	5,757,260
PA	2,105,259
PR	1,655,615
RI	55,776
SC	208,740
SD	200 ,885
TN	81,423
TX	22,695,546
UT	493,020
VA	320,954
VT	475,876
WA	6,727,599
WI	555,602
WV	26,270
WY	170.334

August 19, 1993

U.S. Department of Education Response to Testimony Prepared by Mr. Winford "Joe" Miller for the House Subcommittee on Elementary, Secondary and Vocational Education Regarding the Migrant Student Record Transfer System (MSRTS)

Testimony dated July 19, 1993, from Mr. Winford "Joe" Miller, the former Director of the Migrant Student Record Transfer System (MSRTS), to Mr. Kildee's Subcommittee on Elementary, Secondary, and Vocational Education contains a number of misstatements about the U.S. Department of Education's actions with regard to the MSRTS. Major misstatements from Mr. Miller's testimony, and the Department's response, are presented below:

"... it is my understanding that the Office of Migrant Education in the U.S. Department of Education informed the Congressmen that the cost of transferring a single student record was $130."

Response: Department staff did not provide Congress with a $130 per record cost figure, have no knowledge of its source, and are unable to derive such an estimate from available data.

"I have to wonder whether OME deliberately misled Congress in providing an unsupported "worst cast" [sic] scenario on the cost of transferring records. I understand that the $130 figure was computed on the basis of something like 200,000 qualifying moves. . . . . Surely, the program officials in the Office of Migrant Education know that there are far more than 200,000 moves made by migrant children during the course of a year."

Response: As mentioned above, the $130 per child figure did not come from Department staff.

We agree that, while there were almost 233,000 qualifying moves in 1992 (down from 264,000 in 1990), these do not constitute all the moves made by eligible children during the year. Other, equally disruptive, moves are made by these children over the course of a year which do not meet the definition of a qualifying move (one that is made across school district lines with, or to join, a parent or guardian who has obtained or is seeking temporary or seasonal work in agriculture or fishing).

"If the OME estimate of a $25 million total cost for operating the system at the national, state and local levels was reasonably accurate..."

Response: This cost figure is not a Department estimate, and we have no knowledge of its source or how it might have been derived.

In its September 1991 report, the National Commission on Migrant Education estimated that more than $9 million per year is expended at the State and local levels for MSRTS-related activities (data collection, coding, mailing, uploading, and report receipt/distribution) in addition to the $6 million per-year cost of the MSRTS central site contract.

"...[MSRTS] remains defined in law as a state system of records."

Response: The current statute simply notes that MSRTS shall not be treated as an information collection that is conducted or sponsored by a Federal agency. The Department is still required, under procurement law and regulations, to exercise appropriate contractual oversight over MSRTS.

"In 1991, the Assistant Secretary for Elementary and Secondary Education and the director of OME testified to the National Commission that [ED] valued MSRTS very highly as a source of data on children enrolled in the Migrant Education Program. They said nothing about its role in transferring records. Nor did OME or the Department make any attempt to improve the utilization of MSRTS to transfer records ..."

Response: Both the Assistant Secretary and the OME Director noted the importance of the records transfer function and the need to improve its timeliness in their testimony to the National Commission on Migrant Education. They also noted that there are other important functions of MSRTS that serve to support Federal, State, and local data needs beyond those of transferring student records between classroom teachers.

As discussed below, improving MSRTS processes for records transfer was central to the Department's redesign plan for a recompeted system. In addition, Department staff have worked jointly with the National Association of State Directors of Migrant Education (NASDME) on the use of MSRTS to collect and transfer data that could be used by its State and local clients for needs assessment and evaluation purposes.

"The new form [for a one-page record] was piloted and ready to be implemented in 1992. But MSRTS could not implement it because [ED] issued a freeze order that forbade MSRTS from undertaking any new activity while it was preparing specifications for the next MSRTS contract to be competed."

Response: A one-page record, which was suggested by the National Commission on Migrant Education as one facet of its recommended overhaul of MSRTS, was developed, in draft, in 1992 by a committee of Migrant State Directors. However, it was not fully piloted nor was it ready to be implemented.

Department staff did not believe it was cost effective to allow MSRTS to undertake an extensive pilot test that would require expensive system modifications at a time when the system was about to be recompeted and modified. Moreover, as the MSRTS contractor emphasized to the State Directors, because 48 of the 118 data fields on the draft one-page record are not currently in the MSRTS database, the draft one-page record could not be immediately programmed for output on the current system. Also, it was apparent from discussions with the State Directors and the current MSRTS contractor that implementing the record would require, in addition to development of detailed specifications for all the record's data fields, new data entry forms, procedures, and training for data entry clerks, reviewers, and users.

"One cannot help wondering if [OME's] interest in promoting MSRTS as a data management system and a national system of records -- for which they expended an estimated $1,000,000 in developing specifications while engaging in a bare minimum of dialogue with the system's users -- wasn't coupled with a desire to destroy its credibility as a records transfer system."

"The leadership in [OME] ... actually went out of its way to discourage improvements in the transfer of student records."

Response: The Department's outside technical design contractor, which worked under an existing task order contract administered by the General Services Administration, received $450,000, not $1 million, to both document the current MSRTS and develop specifications for a new, improved, redesigned system. This $450,000 cost was publicly announced after the task order was awarded.

In response to recommendations from the National Commission on Migrant Education and specific input from Congressional staff during the early stages of the redesign, the Department's plans for a redesigned system centered on improving the completeness, accuracy and timeliness of records transfer. Our desire to improve the system's data transfer function, and our plans for making other needed system improvements, were discussed in several letters and in public presentations to the State Directors.

"If Mr. Ford and Mr. Goodling proposed to end MSRTS as a response to projections that a new MSRTS being configured by the Department of Education would cost in the neighborhood of $18 million, as I have heard ..."

Response: Department staff did not provide any estimated cost figure to Congress regarding our planned MSRTS redesign, since cost estimates for pending procurements are required to be kept confidential. Also, the $18 million does not approximate either a first-year or a five-year cost estimate for a redesigned MSRTS.

"The Arkansas Department of Education has been operating MSRTS for less than $6 million a year -- less than $5 million currently."

Response: For the current contract period (1992-93), the MSRTS contractor requested and received $6.1 million -- $1.6 million of which came from funds unexpended and carried over from earlier contract awards, and $4.5 million in new funds.

The total cost over the five-year contract cycle is $27.7 million, or an average of about $5.5 million per year. During this cycle, in both 1989 and 1990, MSRTS asked for and received $6 million.

"During my tenure as director of MSRTS, the contract was up for rebidding on at least three occasions."

Response: This contract has not been awarded competitively since its inception in the late 1960s.

"... The Department of Education has only a fiduciary role in distributing [Section 1203] funds to the states in the form of grants, contracts or cooperative agreements."

Response: The Department is required by procurement statute and regulations to exercise appropriate oversight over Federal grants and contracts.

Chairman KILDEE. Mr. de la Rosa.

Mr. DE LA ROSA. Mr. Chairman, distinguished members of the subcommittee, thank you for the opportunity to testify on behalf of migrant children.

I am Raul de la Rosa, director of migrant education in the State of Washington. I am privileged this day to represent the National Association of State Directors of Migrant Education, an association of which I have been the past president.

Mr. Chairman, my wife tells me, if you take more than 20 minutes, then you shouldn't say anything. But, clearly, five minutes really stresses us. But we know that we are here to answer questions, and we hope that we can do that. I would like my testimony to be made part of the record on behalf of the Association.

Chairman KILDEE. Without objection, your entire testimony will be included in the record.

Mr. DE LA ROSA. Thank you.

Our testimony basically talks about the successes of the migrant program, where we started, and it tries to capture some of the elements that we believe continue to create a problem for us. We have about eight recommendations which I will turn to very quickly.

But I do want to say this, Mr. Chairman: The National Commission on Migrant Education called the children invisible children of this Nation, because migrant children are so isolated and so far removed from the thoughts of the average citizen. The Commission concluded that, "There is no doubt that migrant farmworkers continue to be one of the most industrious yet under-rewarded populations in the country. Their efforts to remain self-sufficient are heroic."

As a former migrant, I can tell you, Mr. Chairman, growing up in the States of Texas and Indiana, I know, having been raised in a family of 13, what it took for us to migrate back and forth thousands of miles. I have been in your State, in the State of Michigan, Saginaw, as a migrant. So I am familiar with your migrant conditions in your State, Mr. Chairman.

Chairman KILDEE. I have had people on my staff, at least two, whose fathers and mothers and themselves came through the Saginaw area, and some dropped out of the migrant stream and went to work for General Motors, as you probably well know. They are very good citizens. I spent two nights at Our Lady of Guadalupe Parish in Flint, Michigan, for their Spanish fiesta and met many of those people this last weekend.

Thank you. You may continue.

Mr. DE LA ROSA. Mr. Chairman, we started working with migrant children in the late 1960s. These children were not in school anyplace in the United States. Even when they returned to their home base States, many of them did not enroll in school. The successes that we have had over the last 27 years I think should be lauded.

And although there have been areas where we have not been as successful, the key is that you cannot take children who are totally removed from school, who in effect have been kept away from school, and then to begin to eradicate in the short period of time the effects of those conditions and that isolation.

We still have many migrant children who do not know what it is to attend school. The amendments that were made to the immigration law and family reunification has caused a wave of children to arrive in northern States such as the State of Washington. In the last three years, we have had an increase of 30 percent of migrant children.

So these are some things that I did not put in my testimony. They are part of my State, but, in effect, Mr. Chairman, they constitute what we consider the changing face of the migrant population, as the Commission pointed out.

Our successes have resulted because we have looked at a multiplicity of strategies which we talk about in the testimony. You also need to know, Mr. Chairman, that we continue to lose the ability to meet the needs of these children through the array of strategies just simply because the dollar has reduced so drastically.

Our allocation, as you know, going from 100 percent funded in the early 1980s, is now down to 23.3 percent. It is not possible to continue to support and give the children the whole child support services that are needed based on the eroding dollar that we have experienced.

Let me just speak very quickly, and I will finish my testimony. We believe that the Federal Government must continue its commitment to migrant children because they are truly America's children. The Migrant Education Program must continue to be a State program. It is only through a State effort, not a local effort, that we can reach out and identify and find these children, and enroll them in school, and then provide them the necessary support that they need.

Mr. Chairman, I know that this country has lots of difficulties in terms of our financial situation, and I know that it is hard to find dollars. But the Migrant Education Program must be funded at a level that will ensure that all migrant children have an opportunity not just to learn but to achieve the academic standards expected of all students.

The Migrant Education Program must focus on the needs of currently migratory children, but, Mr. Chairman, we cannot forget the needs of the formerly migratory children. I believe that if you go to the text of the reauthorization of 1978 of this bill, you will see some eloquent remarks made by Senator Orrin Hatch on the issue of the effects of migrancy on settled-out migrant children.

The Migrant Education Program must provide for a strong and effective interstate mechanism. Migrant education demands that a wide array of assessment strategies be utilized to evaluate the effectiveness of the program. We urge Congress to be very clear on their expectations so that we can work towards attaining those.

And, of course, migrant parents cannot be left out of the equation. They constitute a great part of the successes that we have enjoyed in bringing the dropout rate from where we started to about 40 to 50 percent now. That is not good enough. We want to hit the goal established that, hopefully, by the year 2000, only 10 percent will experience leaving school before they graduate.

Thank you very much, Mr. Chairman.

[The prepared statement of Raul de la Rosa follows:]

Testimony of
Raúl de la Rosa

Testimony of the National Assocation of State Directors of Migrant Education

Mr. Chairman, distinguished members of the Subcommittee, thank you for the opportunity to testify on behalf of migrant children. I am Raúl de la Rosa, director of migrant education in the state of Washington. I am privileged to represent the National Association of State Directors of Migrant Education (NASDME), an association of which I am past president. I have been in migrant education for over 20 years, a career strongly influenced by the fact that I myself grew up as one of 13 children in a migrant farmworker family.

The Congress of the United States faces the challenge of drafting meaningful legislation to revitalize American schools, to achieve National Education Goals through systemic reform while ensuring that all children have an opportunity to succeed. We share the concern of Congress for excellence and equity, specifically because we represent more than half a million children who have demonstrated a drive to excel despite an array of obstacles and inherent inequities.

They are the children of the toilers of the fields and streams, the migrant farmworkers and fishermen whose backbreaking labors produce the fruits, vegetables and seafood we take for granted. The National Commission on Migrant Education called them "Invisible Children," because they are so isolated, so far removed from the thoughts of the average citizen. The Commission concluded that "there is no doubt that migrant farmworkers continue to be one of the most industrious, yet under-rewarded populations in the country. Their efforts to remain self-sufficient are heroic."

Likewise, the efforts of migrant students to attain an education are nothing less than heroic. It is not uncommon for students to work alongside their parents in the fields for 8 to 10 hours a day, then attend night classes to earn credits for required courses for graduation. But even to get that close to graduation, migrant students have had to overcome a myriad of barriers imposed by circumstance and institutional indifference. As the Commission indicated, they have numerous needs that are inadequately met by their families, employers, communities, and state, local and federal governments.

Migrant students are plagued by interruptions in their education, by the destabilizing effects of mobility and by the health problems accruing from the migrant lifestyle. Their parents usually possess limited education themselves, and often the family's need for additional hands in the field takes precedence over its children's education. Poverty, language barriers, social isolation and the constant struggle for sheer survival provide a very uneven foundation on which to build an education.

These children need access to, and assistance from, every available educational resource. But until Congress created the Migrant Education Program in 1966, many migrant children were systematically excluded from public schools, let alone access to supplemental programs. It was because the original Title I program overlooked these mobile, impoverished children, who usually spoke little or no English, that Congress recognized the necessity for a categorical program to ensure that services would be provided to these most needy Title I families and children.

In the 1960s, a migrant child stood no better than one chance in ten of ever graduating from high school. In the quarter of a century since the Migrant Education Program was activated, federal dollars have built a viable national network of advocates for migrant children. Migrant educators work not only to improve schooling for migrant children, but they also reach out to migrant families, form bridges between home, school and community and connect the disjointed fragments of education that migrant students acquire as they move from school to school, from state to state. Migrant Education provides a richness and diversity of educational services unmatched by other programs from preschool programs to dropout retrieval, in-school tutorials and extended-day programs, English language acquisition to reading to math to career education, summer programs, home-based outreach and many others.

To accomplish its mission, migrant education has developed many innovative strategies. We have gone into migrant camps to teach, we have established before- and after-school programs and weekend programs, we have created portable courses of study and delivered instruction to far-flung students via satellite from their homebase states. We have spotlighted role models for migrant children through imaginative programs such as Goals for Youth and Mini-Corps, and we have been tracking the movements and academic progress of these children through a computer database for more than two decades.

Since the inception of the Migrant Education Program we have seen the graduation rate rise to an estimated 50 percent -- a rate that would set the alarm bells ringing in any school system in the nation, but which represents a five-fold improvement for migrant students. To effect this much improvement, we have trained teachers, employed specialists in secondary student advocacy, developed a secondary credit accrual process, established interstate mechanisms for credit transfer and created alternative paths to high school credits, including semi-independent courses of study, intensive summer programs and distance learning. Of course, a 50 percent expectation for graduation is much less than we would like to offer migrant students. It is an indication of how much more needs to be done for migrant students to attain the national goal of 90 percent graduation.

Despite the difficulties, migrant students not only succeed, but many of them excel. Students who have completed high school despite the hardships of migrancy are now studying at Harvard, Stanford, Ohio State, Washington State, the Universities of Texas, Arizona, California and Colorado, at Florida A & M, St. Edward's, Oregon State, Fresno State, Texas-Pan American, Sacramento State and many others. In the spring of 1992, seven Texas migrant students were valedictorians of their graduating classes, and all of them are attending college on scholarships. Laura Rodriguez, a migrant student who was valedictorian at Cibola High in Yuma, Arizona, received a full scholarship to Harvard. A Phoenix student, Mario Martinez, a graduate of Camelback High, received a $16,000 scholarship to RTI in Troy, New York. Jaime Garza, who spoke no English four years ago, was the valedictorian of this year's graduating class in Minatare, Nebraska. Many former migrants have completed college and entered successful careers in medicine, law, education and other professions. A significant percentage of them return to their home areas to work with migrant children and migrant families.

The stories of students who are not at the head of their graduating classes are just as heartwarming. There is Anabel Ortiz, a Washington migrant student who encountered numerous difficulties in her personal life, then found she had cancer. Despite the ordeal of the treatments she underwent, which we are hopeful will be successful, she continued to work by means of the portable study courses developed by migrant education to pursue her high school diploma. Enrique "Henry" Garza had migrated with his family from Texas to Wisconsin every year, but when he was 15 he decided that he would have to stay in one place if he hoped to graduate. He stayed with relatives so he could attend school in Wisconsin while his parents returned to Texas. Working incredibly hard, including fieldwork during the summer and taking additional courses through the semi-independent study packages, Henry graduated with his class on May 21 of this year.

This success has been accomplished despite a steady decline in appropriations for the Migrant Education Program, as measured in constant dollars. Until 1980, the program was fully funded; that is, it received 100 percent of the funding generated by the formula. Since 1981, funding has been based on a separate appropriation, and funding has steadily diminished as a percentage of the authorized figure. We have dropped from 100 percent to a current level of only 23.3 percent. Of course, the dollar amounts have increased modestly, but the $297 million appropriated for FY93 amounts to about 60 percent of the constant dollar value of the $240 million we received in 1980…and the number of children for whom we are responsible has approximately doubled.

Obviously, we have learned to use our funds more effectively, to streamline our procedures and to network with other providers. But we are operating on only $405 per eligible child, based on 733,000 children aged 3 to 21 on the database in 1992. This is less than the Chapter 1 basic program, even though we have had to create much of the basic infrastructure ourselves. In the most recent year for which we have comparable data (1989-90) migrant education spent $660 per student served, as compared to $753 for the Chapter 1 basic program. We serve about 55 percent of the eligible students, including about 60 percent of currently migrant students. Almost all of the students receiving instructional services -- mostly supplemental instruction in reading, math, English as a second language, math and vocational education -- are also receiving support services in the areas of counseling, advocacy, outreach and health services. The percentage of eligible children served compares very favorably with the percentage of eligible students served by any other categorical program, including the Chapter 1 basic program.

To ensure that the Migrant Education Program can continue to address the broad needs of migrant students, Congress must respond to the urging of the National Commission, which recommended that "(t)he Congress and the President should make the funding of programs for these students a priority."

To the other recommendations of the National Commission, and to the recommendations you have received from the Stanford Work Group, Secretary of Education, the National Association of Migrant Educators and other entities, we would like to add the following in support of the reauthorization:

(1) The federal government must continue its commitment to migrant children because they are truly America's children. Traveling from state to state, they cannot count on being fully supported or accepted in any state or locality. A categorical program for migrant students is the only way to address the unique special educational needs of migrant children -- those arising from their mobility, their frequently interrupted schooling, their isolation, their temporary residence in remote rural locations. While migrant students must have access to all programs and services that address their educational needs. Other programs cannot provide the outreach and the linkages to address the unique needs of migrant students.

(2) The Migrant Education Program must continue to be a state grant program. The complications of state-to-state movement, the need to exercise flexibility in planning to meet unpredictable short-term needs and the frequent lack of a sense of community responsibility for migrants all dictate that the State Educational Agency (SEA) be charged with the primary responsibility. Each state should have a comprehensive plan, as outlined in NASDME's "Rethinking Migrant Education," to assure that all schools provide full access for migrant children to all programs and services.

(3) The Migrant Education Program must be funded at a level that will ensure that all migrant children have an opportunity not just to learn, but to achieve the academic standards expected of all students. Given the resources, we have every confidence that these children can and will succeed, no matter how high the standards. But the funding must be commensurate with the expectations. To meet higher standards, migrant students must have more support, more intervention, more advocacy and more resources than ever before.

(4) The Migrant Education Program must focus on the needs of currently migrant students, especially those who move between states, but it must also continue to support those students whose families have stopped migrating. The National Commission and the study by Research Triangle Institute both noted that the needs of migrant children continue after they stop migrating. The program should assist formerly migrant children to overcome the effects of migration and make a successful transition to a stable school environment. The current five-year provision cannot be drastically changed without impairing the capacity of the program to help children make the transition. Some modification in the eligibility period may be a viable means of focusing

additional funding on currently migrant children, However, it would be unthinkable to use such a modification as a pretext for a proportionate cut in funding. To fully fund only the currently migrant children, we would need an infusion of $150 million over and above the current level of funding.

(5) The Migrant Education Program must provide for a strong, effective interstate mechanism for assuring coordination and continuity in the education of migrant children. We need a focused and effective system for the transfer of student information. Our association has embraced the recommendations of the National Commission on Migrant Education pertaining to the Migrant Student Record Transfer System (MSRTS). This system was developed by state directors more than two decades ago to address a most fundamental need of migrant children. We began two years ago to develop a simplified one-page record so that any teacher in any classroom could easily access essential educational and health information. We stand ready to implement this simplified record, as well as an array of improved management procedures, but our progress has been barred for over a year by a freeze implemented by the United States Department of Education. We also need formal and informal agreements among and between states, the expeditious transfer of secondary credits, cross-training of instructional personnel and broad understanding of state-to-state differences and the impact on migrant children. We also need to develop technological applications, such as distance learning, to bring together the separate parts of migrant students' education.

(6) The Migrant Education Program demands that a wide array of assessment strategies be utilized to evaluate the effectiveness of the program. Congress can further this process by clearly stating its expectations, for example, to attain an increase in graduation rates.

(7) Migrant parents must be assured a strong voice in the education of these children. The Migrant Education Program has been a leader in providing access and support for parents -- we have attracted 500 migrant parents to meetings in California, hundreds more to meetings in Texas, Oregon, Washington, Florida and other states. Our association has even created a committee to give parents a voice at the national program and policy level.

(8) Coordination with other programs must be continued and improved. We have made tremendous progress in this area, We just wrapped up the second joint conference on migrant and seasonal farmworkers, both held since the last reauthorization. And we have brought migrant education and Migrant Head Start together for a national coordination forum.

We appreciate the opportunity to testify to you on behalf of America's migrant children.

BEST COPY AVAILABLE

Chairman KILDEE. Thank you very much, Mr. de la Rosa.

Mr. Rollason.

Mr. ROLLASON. Thank you, Mr. Chairman, for my being invited here.

My name is Wendell Rollason, executive vice president of the Redlands Christian Migrant Association, based on Immokalee, Florida. I served as a member of the National Commission on Migrant Education. And under the present governor and the past three governors, I have chaired the Governor's Advisory Council on Farm Worker Affairs.

In this brief presentation, which only skims the surface, I will be referencing Florida schools, largely in critical terms, but you would be ill-advised to believe my remarks are applicable only to my State. Further, within Florida's public schools, there are exceptions to my illustrations, and that is the only kindly statement that five minutes will allow. I give a State perspective.

To discuss Chapter 1 Migrant Education as seen at the local level, one must begin with Chapter 1 Basic and its predecessor, Title I. I was already an old hand working with migrant children and their families when Title I came into being in 1965. In the beginning, great things happened from Title I, in those early years. Today it is a different story.

In Florida, there are two bottom-line figures to note and to note well, Mr. Chairman. One, Florida receives $267 million in remedial education dollars; and, two, with these funds Florida has achieved the Nation's worst dropout rate. I am sure that Florida's Chapter 1 reports are much rosier than that, but, in truth, the program, despite its reworking by Congress several years ago, is today straightjacketed, with little relationship to the present educational needs of poor children.

Literally, over 50 percent of today's Florida high school graduates entering our community colleges have to spend major time in remedial classes. Most of these are from poor families.

Chapter 1 Basic has always essentially been an urban program. Beware of answers for Migrant Education that call for migrant children to be served by Chapter 1 Basic. It won't happen. When Migrant Education funds reach a local Chapter 1 school system, it is the low man on the totem pole and usually treated as such. Beware of any thought to change Migrant Education from a State to a local program. Its survival would be in immediate peril.

Under today's circumstances, Migrant Education does a very good job. Migrant Education and its record of educationally improving its enrolled kids is superior to the record of Chapter 1 Basic and is frequently resented for these superior figures. Yet Migrant Education has never been—and certainly in recent years—funded to any respectable level when contrasted with its record, when contrasted to its need.

We respectfully call upon the subcommittee to become active champions of Migrant Education within congressional circles and to seek at least a 50 percent funding level in contrast to today's anemic 23 percent.

Let me emphasize that educating successfully children from economically distressed families, urban or rural, today requires two ingredients: one, teachers from good to excellent, of which we have thousands in Florida, who fully understand the culture of poverty and are keenly aware of the horrendous burdens these children have borne from birth to their first day in school; two, true, in-depth parental involvement.

This is rare in Chapter 1 Basic; it is common in Migrant Education. Without true in-depth parental involvement today being vigorously sought by the school, failure is almost assured, no matter what the general figures would hope to have you believe.

Now, a word or two about the House bill proposed by Congressmen Ford and Goodling. I have seen only a first draft. Its aim to eliminate MSRTS is appropriate. The services provided actually to migrant students are costing enormous dollars, totally inappropriate to its worth. Today, with our tax problems and funding problems, all possible dollars should go to hands-on services to students.

The proposal for interstate consortia to address problems of interstate students is most appropriate. Summer programming has long presented unsolved problems which this bill would attempt to address. Some change in the thinking here might be in order. The so-called "emancipated youth" is a problem of growing proportions in the migrant stream today and is, in my view, virtually unsolvable but certainly worth the effort that this bill calls for.

But I decry the bill's two-year limit to services to migrant kids. Three years certain, at the very least. I point out Head Start's record that one year provides nothing to a youngster; two years reaches maybe a 30 percent achievement; but three years is proven again and again as a successful number. Please, three years, the very minimum.

That's my five minutes, Mr. Chairman, and I thank you.

[The prepared statement of Wendell N. Rollason follows:]

Redlands Christian Migrant Association
210 North First Street • Immokalee, Florida 33934 • (813) 657-3135

RCMA Education Effort For Rural Poverty Children

Testimony Before the
U.S. House Subcommittee on Elementary,
Secondary and Vocational Education

June 30, 1993

by

Wendell N. Rollason
Executive Vice President
Redlands Christian Migrant Association

Let me begin with some personal identification and background relative to the testimony I am to give here this morning.

My name is Wendell N. Rollason. Executive Vice President of the Redlands Christian Migrant Association (RCMA) of Immokalee, Florida -- a non-profit group with which I have been associated in lead positions since 1965. I have spent a major portion of my 77 years in this work. This is my 43rd year with migrant and seasonal farmworker children in the State of Florida. Twenty-eight years with RCMA. Thirteen years as chair of the Governor's Advisory Council on Farmworker Affairs under the past three governors of the state. And served the full three years of the National Commission on Migrant Education when last September we issued our report and recommendations to the Congress.

Our organization in Florida serves daily 5,000 infants, toddlers, preschoolers and schoolagers from migrant families in 77 centers and programs. We provide 10-hour days of early child development services and care. We provide special health services for migrant children with disabilities. And we provide dropout prevention programming for rural poor youth in close association with the parents and the public schools.

It is with this experience that I presume to address you today.

I would like to begin with our views on Chapter I Basic, as we see it in

"If we could have one generation of properly born, trained, educated, and healthy children, a thousand other problems of government would vanish."
Pres. Herbert Hoover, 1930

Florida, as these funds have direct bearing on any legitimate discussion of the future of Migrant Education.

I will be speaking in general terms, but wish to emphasize that we do have in Florida public schools in marked exceptions to my generalities. But please remember that they are just that -- exceptions.

As a whole our schools have done very poorly in their use of these federal Chapter I Basic remedial dollars. Certainly this is true within the past decade. With those funds we have succeeded in achieving the dubious distinction of the highest dropout rate in the nation.

On the surface, through sleight of hand and cooking the books, our school districts now manage to come up with low single-digit dropout rates. By cooking the books I refer to current school district practices of claiming that young persons dropping out of school younger than the state's legal threshold of 16 years of age are not dropouts, but are truants and not counted as dropouts. Those who drop out in order to enter a GED program or by dropping out are assigned to the group statistically who may enter a GED class in the future therefore are not dropouts, a most absurd subterfuge.

Chapter I Basic in Florida, since its inception as Title I, has essentially been an urban program. Our state officials knowledgeable in this area advise me that were the "former migrant" youngster, now in Migrant Ed., assigned instead to Chapter I Basic for remedial services, only 50% of those would actually get into that program.

This would be within the Florida reality that today only 50% -- and this is a vague 50% -- of all our children needing such remedial services are receiving them in the first place. So now we seem to be down to perhaps 25% of former migrants who would be accommodated in Chapter I when ejected from Migrant Ed.

I respectfully plead this Committee to remember that Migrant Education was first enacted for the reason -- among others -- that the original Title I monies never reached these kids. And, with no disrespect intended, no amount of Congressional urging short of Congressional mandating will alter this quarter-century reality.

That's number one in my list of the needs for there being a Migrant Education program.

Second, although there are a number of significant changes occurring in the present composition of workers and families within the migrant stream it must be kept in mind that Migrant Ed. has never met fully the needs of migrant children. Migrant Ed. has never been funded by the Congress to any respectable level when contrasted with the actual need. I believe that funding is now down to about 23% of the funding level -- less than a quarter of the originally perceived need. The need -- the true full need for this program today to support the migrant child's in our state educational systems is as great as ever.

BEST COPY AVAILABLE

Our organization here is requesting you raise that funding level to at least 50%.

Third, as budgetarily weak and, consequently, as insufficient that this program is, it serves these kids in phenomenal fashion. Its presence itself is of great significance. It calls to community attention that these kids and their working poor parents are amongst them. This is of great importance from an advocacy point of view. To those students who do get enrolled, Migrant Ed. and its staffers are life savers. Sometimes literally. Most Migrant Ed staffers become champions of these children, become committed to their well-being and future. More often than not to them migrant children become a deep, compelling cause. Many, many of these teachers repeatedly dig into their own pockets to help meet the basic survival needs of these kids. While this certainly reflects poorly on our society as a whole, it is in itself a compelling reason for this Committee to think more than twice as to the consequences to the welfare of individual children who are so impressively touched by this program. The U.S. Migrant Ed. program in itself is a vigorous statement to one and all that these kids are our kids, are your kids just as much as any other group of children in this nation.

Fourth, scholastically, I believe statistics will bear me out that children enrolled in Chapter I Migrant Ed. do better in school than those enrolled in Chapter I Basic. That alone is reason for increasing the funding level. And, of course, that alone justifies its existence.

Now, the other side of the coin. As we of the Commission on Migrant Education noted -- and I assume you or your staff have mastered our report -- the issue of current versus former migrants must be addressed. In Florida, but not Florida alone, the school systems generally are not doing the best of jobs meeting their responsibility to identify current migrant children. Parents who are now former migrants as a rule bring their children into school in person to register them. Many currently migrant parents do, too. But many of them do not. The schools must track these down. This is time, money, frustration, and hard work.

Now human nature enters the scene. Currentlies and formerlies are virtually equally eligible. You don't even have enough funds to serve all those of both categories who are brought to school by their parents. So why beat the bushes for more?

Now, we all know that Migrant Ed. is funded by the number of migrant children identified rather than served. And this funding formula must remain, for this does motivate an earnest search up to a degree. I would point out to you that this past year in Florida less migrant children were identified than before with a resultant cut in monies for the state. But in our child care centers we have a total waiting list of over 3,000 three's and four's -- most of whom are migrants. There has been no drop in the demand for our migrant services. Indeed there might even be an increase as more and more migrant parents shrug their shoulders, do not register their preschoolers with us because they know it's useless.

The Congress, in our view, should turn the screws to see that currently migrant children really do get first crack at the program. That being said, I would plead that you do not opt for the perceived solution of ejecting the formerlies. I again plead for a 50% funding level. Perhaps reducing to three years the period for formerlies could be considered, although I wince at the idea.

You must realize that the severe developmental damages done to small children caught up in migrancy are not ended, like cutting off the faucet, simply by parents opting out of the stream. Statistics indicate quite clearly that the migrant child and the newly non-migrant child test equally poorly in school subjects and learning abilities. Coming out from under these staggering cumulative encumbrances takes a long, long time for the average migrant child and we shouldn't be playing games with them. Both groups desperately need Migrant Ed.

Ditching the formerlies is robbing Peter to pay Paul.

This committee should give DOE in Washington more clout to direct the individual states to bring their performance record up to a higher level. And insist they use it. Never, never allow this program to be the responsibility of local school districts as is the case with Chapter I Basic. Local social norms frequently stack heavily against migrant children in local public schools. Direction of these programs must clearly rest in law at the doorstep of the state's Department of Education.

Coming back to Chapter I Basic I have a proposal that will fly like a lead balloon at local school district levels.

The Congress, among its listed mandates for the use of Chapter I funds, should place parental involvement as the main point of focus and to be enhanced and enabled by mandated home outreach programming for evenings and Saturdays when the heavy majority of poor working parents and adult family members are at home.

You need two things to make it possible for disadvantaged children to obtain a good education: good empathetic teachers and in-depth involvement of concerned parents and families.

It is our contention that in Florida the elementary schools are the single greatest barriers to poor kids getting a good education. Much of this is due to school administrator resistance to parental involvement in the education of their own children.

The need for changing school attitudes of course is a given. But there is little voiced on the need to change attitudes toward schools among the families. Now, this cannot be achieved until the schools get their own attitudinal changes in place and then be willing (or be required) to reach out to the families demonstrate that they -- the schools, the administrators, the teachers -- really do want their children in school.

A heavy majority of poor parents and grandparents, with ample justification real or perceived, do not believe the schools want their kids. In addition these parents, with their own bitter childhood memories of school, unintentionally ill serve their children with family-told tales of their own miserable times at school in times past. Thus with these negatives imbedded in young minds, many, many poor kids enter school convinced its an awful place.

To break this, to turn this around is a responsibility resting squarely on the public schools. Done with commitment by education authorities, they will find a 95% rate of parental interest which then can be developed into home collaboration with the schools. Without this, forget it.

Thank you.

Chairman KILDEE. Thank you, Mr. Rollason.

Ms. Pompa.

Ms. POMPA. Thank you, Mr. Chairman and members of the subcommittee. I thank all of you for the opportunity to be here to talk to you about migrant children and their needs in the broader spectrum of educational change.

The opportunity to restructure migrant education through the reauthorization process comes at a crucial time for migrant children. The Nation's economic crisis has worsened the situation of migrant families and exacerbated the educational, health, and social needs of their children.

Because numerous voices in the education community have raised the possibility of collapsing various programs that serve special needs children, we must act to ensure that the unique needs of migrant children receive specific responses while moving to integrate those responses into the broader scope of educational reform.

I, along with others who have a special interest in low-income and language-minority children, have struggled for the last two years to define needed educational improvements in migrant education, Chapter 1, and Title VII, specifically focusing on the reauthorization process.

Migrant children are served through all these programs. My experience in the local, State, and national arenas, along with the cumulative conclusions from research over the last several years, shapes my conviction that these children must be in the conceptualization of any educational restructuring effort, rather than being accommodated as afterthoughts.

For that reason, I was pleased to note that the legislation proposed by Mr. Ford and Mr. Goodling balances the specific needs of migrant children with a desire that they benefit from broader efforts to improve the education of all our children.

A review of that legislation turns up many laudable efforts on behalf of migrant children. First, restricting the eligibility to children who have moved within a 24-month period targets funds for those children most in need. It encourages responsibility for all children, including migrant children, by all school personnel. At the same time, recognition of these children as a unique population is maintained and strengthened by provisions holding schools accountable for comparable services and for secondary credit accrual.

As this committee begins to look at Chapter 1 reauthorization in the coming months, I would respectfully recommend that you consider a special priority for children who are no longer served in migrant programs and continue to exhibit educational need.

Another change involves the Migrant Student Record Transfer System. A reconceptualization of the MSRTS system, as we know it, directs needed funds to more direct services for children. Moreover, it allows us to reconfigure a record transfer system more in keeping with current technology and educational data collection systems that are being implemented in many States today.

No one can argue with the creative ways various States have used MSRTS funding. However, the intent of this project is to be used as a record transfer system, and that intent is not being met. A recent study indicates that only 16 percent of MSRTS cases are record transfer cases. Allowing the Secretary to work with the

States to develop record transfer systems will allow up-to-date and need-based transfer systems to come into place in the various States to serve these children.

Moving on to the summer formula, the opportunity that is cited in the legislation, the proposed legislation to develop a new summer formula, recognizes the cost of different educational designs as a cost factor. This is a much needed improvement. This provision will encourage designs that go beyond token services for students who need the boost of a well-conceived, well-integrated summer program.

In discussing the plan that is required for migrant children, I think this is one of the most important efforts as we look at how we integrate the needs of migrant children into broader educational reform. The maintenance and strengthening of State plans focuses special attention on this unique population, again within broader reform efforts. It is crucial that this aspect of the legislation be kept in in order to assure that the needs of migrant children are foremost in the migrant program.

Finally, I would urge that this committee and all those interested do all they can to keep the appropriation at least at the current level or higher. Current estimates by the Congressional Research Service are that $694 million are necessary to fully fund services to migrant children eligible under this proposed legislation, and we are far short of that appropriation now.

Many other aspects of this legislation, added to those that I listed above, create a bill that can serve as the model for maintaining categorical services for populations with unique needs, while ensuring the inclusion of all children in the newest wave of educational reform, and I congratulate you for your efforts.

[The prepared statement of Delia Pompa follows:]

STATEMENT OF DELIA POMPA, EDUCATION CONSULTANT, BOSTON, MASSACHUSETTS

The opportunity to restructure migrant education through the reauthorization process comes at a crucial time for migrant children. The Nation's economic crisis has worsened the situation of migrant families and exacerbated the educational, health, and social needs of their children. Because numerous voices in the education community have raised the possibility of collapsing various programs that serve special needs children, we must act to ensure that the unique needs of migrant children receive specific responses while moving to integrate those responses into the broader scope of educational reform.

I, along with others who have a special interest in low-income and language-minority children, have struggled for the last two years to define needed educational improvements in Migrant Education, Chapter 1, and Title VII. Migrant children are served through all these programs. My experience in the local, State, and national arenas, along with the cumulative conclusions from research over the last several years, shapes my conviction that these children must be in the conceptualization of any educational restructuring effort, rather than being accommodated as afterthoughts. For that reason, I was pleased to note that the legislation proposed by Mr. Ford and Mr. Goodling balances the specific needs of migrant children with the desire that they benefit from broader efforts to improve the education of all our children:

- First, restricting the eligibility to children who have moved within a 24-month period targets funds for those children most in need. It encourages responsibility for all children, including migrant children, by all school personnel. At the same time, recognition of these children as a unique population is maintained and strengthened by provisions holding schools accountable for comparable services and for secondary credit accrual. As this committee begins to look at Chapter 1 reauthorization, I would respectfully recommend that they consider a special priority for children who are no longer served in migrant programs and continue to exhibit educational need.

- A reconceptualization of the MSRTS system, as we know it, directs needed funds to more direct services for children. Moreover, it allows us to reconfigure a record transfer system more in keeping with current technology and educational data collection systems being implemented in the States.
- The opportunity to develop a new summer formula recognizes the costs of different educational designs as a cost factor. This provision will encourage designs that go beyond token services for students who need the boost of well-conceived, well-integrated summer programs.
- The maintenance and strengthening of State plans focuses special attention on this unique population within broader reform efforts.

Many other aspects of this legislation, added to those listed above, to create a bill that can serve as a model for maintaining categorical services for populations with unique needs, while ensuring the inclusion of all children in the newest wave of educational reform.

Chairman KILDEE. Thank you very, very much. Thank you, all of you, for your testimony.

I can recall, early in my legislative career, probably back in 1965, I got involved in migrant education in Michigan, which is a pretty big group there. And I visited a farm, orchard, down near Benton Harbor, Michigan, where a number of migrants would come. And I still recall very much it motivated me even more to get involved. We were just getting started on housing, education, some of the things that were needed there.

And as I was talking to the migrants, the woman and her husband owned the farm—came to throw me off the property. Of course, Michigan law forbade her to do that. I had the right to visit the migrant workers; the migrant workers had the right to receive guests. But, as she sputtered away, I remember she yelled at me, "We have too much problem with you do-gooders." And I turned around to her and I said, "Well, it's better to be a do-gooder than a do-badder."

So I hope I can do good in this. And I appreciate your testimony, because we have to be informed by people like yourselves who really know the need out there and work regularly with the people.

I have one question.

Well, Bill, I know you have to go down and talk on the floor on appropriations. Why don't you go ahead and start the questions.

Mr. GOODLING. First of all, I would like to thank everyone for coming. Raul and I have been working on these problems for a long, long time on the Interstate Migrant Education Council. And Wendell I got to know quite well as we worked together on the National Commission on Migrant Education. One of my roles on that Commission was to make sure everybody approached the task that we had, not with preconceived ideas, but to look at all the facts, et cetera, et cetera. I think, in the long run, the Commission did quite well.

One of the things that I think all of you have stressed, which I think we really want to stress, is the use of all the services that are out there for all children that at the present time, are not used for migrant children in mny instances. Migrant children are eligible, migrant children are supposed to be served. However, I have discovered, in Chapter 1 in particular, the program is not providing services to migrant children who are eligible to be served.

I think one of the things we have to stress in any reauthorization is the fact that migrant children, like every other child, are supposed to be served by the programs that we authorize and fund to serve them. And I think that would do a great deal to help them make the transition from Migrant Education programs into regular programs, if they no longer migrate, et cetera.

I don't have any specific questions. I think there's a lot of good testimony here that we need to study and look at as we develop our proposal for amending the Chapter 1 Migrant Program.

Normally, we throw out legislation to get the ball rolling and then work into that legislation any necessary change or it used to be that whatever came out of committee, when I first came here, that was it. Now you might as well save your breath sometimes in committee, because until they are finished with it on the floor, who knows what's going to happen with it. Times have changed.

But I think we have a lot that we need to study between now and the time this legislation gets put together. I imagine our timetable is sometime next year for final action on the reauthorization of these programs.

Mr. DE LA ROSA. Mr. Chairman, since Representative Goodling is leaving, could I ask him a question, please?

Chairman KILDEE. Sure.

Mr. DE L ROSA. Mr. Goodling, I have the deepest respect and regard for you, and we have worked on the issue of migrant education. Sir, I hope that the testimony that Mr. Rollason gave in regard to the two-year eligibility might lead to some further dialogue on perhaps some compromise between the extreme where we are at present and where in fact we might be, if in fact we can look at a way to ensure that currently migratory children receive services.

But, as I said to you in my testimony, the effects of mobility and the effects of poverty and displacement and isolation are extremely damaging to the psyche and to the mental development and academic development of children. Those effects cannot be eradicated and, I would suspect, will not be eradicated if we rely on those programs that currently are looking at ways of serving the whole child, as the migrant program has done for many years.

And I think it is the absence of approaching the whole child that has been at the root of our inability to get to the children in poverty. Whereas, when we started with our migrant children who were never in school systems, I think the whole-child approach, nutrition, health, housing, and all the other array of services we provide them, has made it possible for us to get those kids into a school and in academic learning.

Finally, I would hope that we would not throw out the baby with the bath water. I know that the MSRTS system has some problems. I am the chair of the committee. As we looked at the last five years in the reform movement, many of the schools moved from a pull-out to an in-classroom model. What happened in that movement was that our system was developed to address the needs of special children in a special environment. It relied on coding and encoding mechanisms.

What has happened is that, since we moved the services into the classroom and we support the services of these children in the classroom, the system has not linked into the classroom. Those are reforms that we have initiated, and, hopefully, in the two years that we get back on track, we might be able to convince you, Mr.

Goodling, and Mr. Ford that the system, as was originally conceived, might be restored, contrary to my good friend's recommendation.

Thank you very much.

Mr. GOODLING. Well, let me just say that, of course, the whole purpose of hearings is to hear from all people who have ideas about how this should be reauthorized, and you then try to put all those ideas together. If it had not been for Mr. Ford and I, the recommendation, I believe, from the Commission would have been to immediately eliminate MSRTS.

I think I'm saying what the feeling was, Wendell, and I think we probably slowed that down just a little bit.

You are correct, Raul, we need to do a lot of different things. Records, in many instances, are of little value, are not getting there on time, maybe, in some instances, do more damage, as is true in any transfer of records. I always had a problem with teachers putting down personal opinions, and so on, and passing them on to the next teacher. And I always said, you know, let the next teacher make their own determination as to how they think this child is doing; you just pass on the facts.

So I'm sure that will be examined carefully. If you talk about transferring 200,000 records, that comes out to a cost of $130 apiece, I believe. We have to find a better way, probably, to do it.

Mr. DE L ROSA. I would agree, sir.

Mr. GOODLING. And there is time spread out, no matter what legislation changes eventually becomes law, to do that kind of thing.

As far as coordination of services, there is no question. I hope, in every piece of legislation that comes out of this committee, that we will somehow or other break down the fiefdoms that are out there, so we get everybody to deal with the whole child instead of, "This is my territory. Don't you mess with my territory," because that is just the most devastating thing to a child—not only a child, the parents too. But it goes on all the time.

And I hope there are ways we can break them down and threaten them with their lives, if nothing else, if they don't cooperate and work together to serve the whole child and the whole family.

Thank you, Mr. Chairman.

Chairman KILDEE. Thank you.

Governor Romero-Barcelo.

Mr. ROMERO-BARCELO. Thank you, Mr. Chairman.

I didn't have the benefit of listening to Dr. Reyna, and I only heard part of Dr. de la Rosa's, but I happened to look over a little bit of their testimony and their materials in here. And I notice that here in Dr. Reyna's plan, the plan he has submitted, that one of the issues they made emphasis on, as a recommendation, is in acquiring competency in the English language. And I fully agree with that. That's probably the greatest obstacle that migrant children who are not English conversant would have in getting an education on the mainland.

What kind of plans, what kind of program do you have, for instance in Texas, to improve the learning of the language? Do you have any special type of teaching or special kind of program to speed it up?

Mr. REYNA. Okay. Yes, sir, we do have some programs in Texas. I do want to emphasize that I'm not here to represent the State of Texas. I'm here to represent the National Association of Migrant Educators.

Mr. ROMERO-BARCELO. I understood that, but you're from Texas and you work there.

Mr. REYNA. I'm from Texas, and we do have a requirement for schools to offer instruction in the language of the child until he is able to transfer to the dominant language, which in this case would be English.

Mr. ROMERO-BARCELO. The reason I asked that is, have you experimented at all with intensive language camps?

Mr. REYNA. Yes, sir. We have had some cases in Texas where we have had intensive English development type of programs for public school children. However, I don't think that those studies are conclusive and would indicate that that would be the best method to educate children who are of limited English-speaking ability.

Mr. ROMERO-BARCELO. I'm just speaking from experience. Back in Puerto Rico we have the problem. Our students don't know enough English or don't learn it fast enough. We don't have enough teachers teaching English in our schools that are really qualified to teach English.

So we developed a plan for having the students in the years of 7th, 8th, and 9th grade be taken to intensive language camps for about 10 weeks, where they would be in a camp and they would have their meals, they would have to speak in English. Whatever movies, they had no subtitles in Spanish. All the sports were also done in English. All the conversation had to be in English. And it was amazing what happened in 10 weeks, in just 10 weeks.

And I think that unless they acquire some kind of proficiency, to have the final goal be to have the migrant children finally integrated into a school or going to regular school, they need that. Without that it would be difficult for them.

Mr. DE LA ROSA. May I comment on that?

Mr. ROMERO-BARCELO. Yes.

Mr. DE LA ROSA. In our State, we have been trying to isolate the basic background of those children. We know the children who have been exposed to an educational system in the countries from where they come, particularly in Mexico. We know that many of those students are very capable of immediately engaging in an English learning process.

But for many children who have no experience in school and whose parents have had no experience in school, and their foundation is very limited in their own native language, that takes a different approach, and it takes a different, I think, strategy to reach those children, particularly, Mr. Romero, is the need to ensure that as we take children from their first language to their second language that we be conscious of the fact that we not affect their self-esteem, we do not destroy them as individuals and their worth to their families and to their language.

I believe that you will find every migrant family wanting their children to learn English well. That was the case in my home, and that is the case in almost every environment that I have been in. It is how we get there, sir, that is so critical and crucial as we work with these children. Migrant children are the most impoverished in terms of their educational background; therefore, we have to look for a variety of strategies to ensure that we can move them into an English language position without damaging them.

Mr. ROMERO-BARCELO. Also, on the road to integration to regular school, are sports considered; in other words, having them trained in different sports? Because, obviously, in regular school in the United States, if the student is good at a given sport, his acceptance will be much faster as a member of the group than if he doesn't participate in a sport. That's one of the cultural things that we find on the mainland.

Mr. DE LA ROSA. Absolutely. After they stop migrating, and after they settle into communities, we find that those students who become part of the overall programs, not just the special programs and not just isolated, those are the children who have greater success in the schools. I agree with you.

Mr. ROMERO-BARCELO. Thank you.

Chairman KILDEE. Thank you, Governor.

Mr. Miller.

Mr. MILLER. Thank you, Mr. Chairman.

As a new member of Congress, I'm on a real learning curve and educational program of my own right now, and this is one area I obviously have a great deal to learn about. So I would like to invite myself, if I may, to visit your facility, either in Immokalee or somewhere maybe closer to my area—I'm in the Sarasota-Manatee-Hillsborough area. So I hope my staff can work out a chance, whenever the timing is convenient or ideal, to come visit your facility, or some facility, and get a better understanding of it.

I think, as the Chairman did, if you go see it, it's a little different than being in a hearing room.

When I campaigned, one of my philosophies of education is that education is a family, local, State issue and not a Federal one. You made a comment that we need to keep the local school districts, to some extent, out of the process and leave it at the State and Federal level. Would you and maybe someone else comment on what is the relationship between local, State, and Federal? I really recognize there is a Federal role here, just by definition of the migrant aspect of this. What is the interrelationship of the three, and why do you want to keep the local schools out?

Mr. ROLLASON. With regard to migrant education, sir, this is legislated as a State program, which is one of the very few that Federal moneys come into the State for State responsibilities, as distinct from the State passing through to the districts for local decisions, like Chapter 1. Very, very early in the days of Mr. Ford and this program, it was seen that addressing the migrant child at the local level in rural counties where the agricultural industry dominates the political process, simply precludes a programming that is in the best interest of the child and that it can best be handled from the State.

This, in Florida, particularly, works the rough edges of Tallahassee down on an education program and is irritating to many of the local educators. But if we were to change that, we would be absolutely lost, this program. It has to have a State program in which the State or the individual districts, in our case, the counties, are held responsible for the product.

When it comes to the actual program being implemented on the local level, these, for a long time—thank God, in Florida, we've gotten away from that—but for a long time, when there were teachers that they didn't know what else to do with, they put them in the migrant program. It is that kind of local indifference to the plight of these kids that we have to reckon with.

That is unfair to those in Florida who do a magnificent job with the program at the local district level, but it is an irritant, organizationally, within the school system that is exacerbated in some of the formalized use of Chapter 1, where it's a job rather than a cause. Therefore you have the migrant program, which is staffed usually with people who look at it as a cause, and thus do a better job with the kids. The comparative figures of accomplishments of Chapter 1 Basic to comparable kids in Migrant Education shows a much better job being done by Migrant Education.

So these things are irritants.

Chairman **Kildee**. Ms. Pompa, you wanted to add something to that?

Ms. **Pompa**. Yes. I would like to add an example, perhaps, that might explain why it is best kept as a State program. The money, as you know, is not a large amount of money, and there are needs that cut across entire districts, that the State can handle more efficiently. Because States have the entire responsibility for education within our system of government, there are some procedures, such as how you transfer credit, how you award credit in different States, that the State can handle and handle across various districts.

Besides those kinds of processes, there are functions that the State can carry out to benefit local districts. As they turn in their plans, the States are able to identify needs that cut across districts and bring in the resources to give to many, many districts, where the district locally would not be able to afford those kinds of services.

Mr. **Rollason**. Well, I would point out, again using Florida as an example, what happens when the State assigns X numbers of dollars to Polk County, say, and now citrus is shifting from Polk County into Southwest Florida because of the freezing, and there is a shift, then, of migrant families, the commitment from Tallahassee with migrant dollars, the district superintendents want to have that maintained. They don't want the flow that should follow the migrant child.

So, again, Congressman Miller, these are points of friction. They are bearable, because it would be horrible if we gave this money to the local school district.

Mr. **Miller**. Thank you.

Chairman **Kildee**. Mr. Becerra.

Mr. **Becerra**. Thank you, Mr. Chairman.

Again, commendations to the Chairman for holding hearings on such important issues. Oftentimes, I think, some Members of Congress would neglect to raise an important issue like migrant education, and I thank the Chairman for doing so. I also, in his absence, want to thank Chairman Ford, who I know has also been a leader in the area of migrant education.

Just a few questions, and I believe quick questions, for the panel. The first one has to do with parental involvement. I know it's a very difficult task to expect parents of migrant children to be involved on a day-to-day basis with their children's education, but what do you think can be done or should be done to ensure some form of parental involvement in the education of migrant children?

Ms. POMPA. Actually, I think, if you look at some of the programs that are currently in effect, you have seen very creative uses of migrant funds to work with parents. It's true, it's very difficult to involve the parents of migrant children, because they work all day in the fields, and they are very tired in the evening. But they are among the parents that are most interested in learning English, in learning to work with their children.

Many of the programs have set aside money to create parent involvement programs that accommodate parents in the evening or on weekends and work with these parents to help them teach their children as they go along. Well, the parents are also learning. There have been a couple of States that have tied into the Even Start Program where, while children are enrolled in preschool, the parents are also going to school.

So I think the migrant program has been a leader in learning how to accommodate the sort of nontraditional parent that can't be in the school during the 8 to 5 workday.

Mr. DE LA ROSA. Mr. Becerra, I would like to point out an Even Start approach we have in the Nation, working with the State of Michigan, working with the State of Texas, and the State of Washington, of course. We have put together curricula; we have trained staff. We go into the homes of the migrant families; we work with the families with our specially designed curricula. From the State of Texas, we travel with those families into the State of Michigan, into the State of Washington where we continue a continuous instruction with those families.

We bring in the whole family, the older siblings and, of course, the preschool age children. At the same time, we help the parents to also become engaged in a learning process about school and learning themselves.

This is but one of the few examples, I think, of the creative approaches that Delia has mentioned. And I think that the Even Start Program, Migrant Even Start Program, is one of the great things that has happened in the last few years on behalf of migrant children.

Mr. ROLLASON. In Collier County, the location of Immokalee, which has the heaviest concentration of farmworkers in the State of Florida, we, on a cooperative basis with the school system, have a home outreach program. And the involvement of the parent is primarily attitudinal. The average migrant parent feels—parent and grandparent—feels their children are not wanted in school. We have to persuade the schools to have an open-door policy where the parents are welcome.

But the most important thing, as we see it, is to get the parents to understand very clearly that they can have and express expectations from their children, who are just as smart as anybody else's kids and who are welcome in the school. We have proposed, for example, having them cease talking when they are eating about their own horror stories of when they were in school, so that they cease creating within the home, inadvertently, an attitude in the child against education.

We teach the parents the meaning of the report card and the various symbols. One fascinating instance of this was when our staffer was with a father and an 11-year-old, and the father says, looking at the report card, "This means that Juanito wasn't in school 11 days this month? Juanito, where were you 11 days?"

This type of thing puts the parent in command of education as important to the family and is what we are out to achieve and not help with the homework—we have afternoon tutors and this kind of thing that the families need because of their inadequacy in English or their own limited education—but the attitude that in this family education is important, and in this family you are responsible to me for your attending school.

And the school systems will tell you that we now have, in those kids enrolled in this program, average daily attendance of 94 percent for migrants, which is unheard of. And behavioral problems have plummeted. Report card grades have gone up. But that is when the family is convinced the schools care.

And I find this, too, very true in urban areas. I don't think there is such a great difference. The schools have got to involve the parents, because, in today's society, those kids have such different forces pulling against them that only the parent, in the early age, can keep control of their kids via education.

Mr. BECERRA. Thank you.

Mr. REYNA. Mr. Becerra, another example: Currently, we have nine States in the Nation which are pilot testing a national life-interactive satellite instructional program. That program focuses on four different strengths: one at the preschool level, one at the elementary level, one at middle school level, and one at the high school level.

At the preschool level, the curriculum is designed so that the parent and the child can work together. In doing so, we are not only developing the cognitive domain of the child, we are also developing family literacy skills within the family, within the adults that are working with the child through this life-interactive programming that is available to individual homes as well as to school sites.

Mr. BECERRA. Do you think we are doing enough on the Federal level to encourage—I won't say "mandate"—but encourage different school districts in the States that receive Migrant Education dollars to provide for parental involvement? Should we do more? Should we, through language, say that we encourage it, or we mandate it, or make some reference to it, or is it enough that there are local programs that are already doing this?

Mr. REYNA. Sir, the resources as they exist right now are somewhat limited. We do, in our NAME proposal, make strong recommendations that parent involvement be engaged in all programs at the local and State levels, that we have advisory committees, that parents be trained and participate in the education of the child. But I do not think that we have the necessary resources to continue to provide the type or the level of involvement of parents at the local school district level.

Before I came to Washington, I spoke with a couple of youngsters, sophomore level, who were participating in a high school level dropout prevention program, Selene Villarreal from Roma, and Oscar Melendez from Laredo. And I asked them what their priorities were for migrant education, and this is what they said:

Number one, they want the opportunity to acquire credits, because they get behind as they move in and out of school. They leave school early, come back late. They want jobs, part-time jobs to help their families. One of them was involved with JTPA part-time. Number three, they want health services. And these are the priorities they gave me. When they are sick, they want health services provided for them, whether in Texas, Wisconsin, California, wherever.

Number four, they wanted preschool services for the children so their younger siblings would succeed in school. And, number five, they wanted opportunities for their parents to finish an educational program.

In the case of Selene, her father got out of the migrant cycle because there was a program which involved parents in the Migrant Education Program. And through the involvement of parents, he was able to get himself into a GED program, complete the program, and now he is working as a teacher's aide in a public school district migrant education program.

And he is working with high school kids and advising them and counseling them to stay in school, and he is working with them to provide them tutoring services after school, on weekends, evenings, whatever it takes to keep them in school.

So, yes, I would recommend that we increase or we mandate the involvement of parents at the local education levels, but not only to attend meetings, but to participate in programs that will develop family literacy skills in English and work skills, et cetera.

Mr. BECERRA. Thank you.

Thank you, Mr. Chairman.

Mr. ROLLASON. May I add to that, Mr. Chairman?

Chairman KILDEE. Yes.

Mr. ROLLASON. I would certainly agree that under Chapter 1 Basic the Congress should mandate home outreach programming. The law contains a very good option. If you are going to use it, and it is optional, then the law outlines a very fine outreach program. And today we have got to go out to these families, the ones that are now with kids on the street corners, the migrant families that are losing their kids, sucked into that whole aura of drugs and the like, and we have got to put parent involvement as the cornerstone of Chapter 1 Basic.

And the same principle holds true with the importance, as the doctor said here, with the migrant family. But the whole thing our Nation is facing with the youth that are hemorrhaging out of our high schools and middle schools, the only resource we have not tapped is the family. We've got to do it. We're lost.

Mr. BECERRA. Thank you.

Chairman KILDEE. Thank you.

Mr. McKeon.

Mr. **McKeon**. Sorry I got here late.

Chairman **Kildee**. Thank you very much. We appreciate your presence here this morning, your interest in this.

Let me ask a question of Mr. de la Rosa, and any of you may add to that.

Raul, would you perhaps elaborate on the special needs of the formerly migrant children as compared to the needs of the children enrolled in the Chapter 1 Basic program, their special needs?

Mr. **de la Rosa**. Well, I'm glad you asked the question, Mr. Chairman. I specifically ran a table to isolate all the children in the State of Washington who have been identified as receiving Chapter 1 services. This was as a result of a discussion and interaction that I had last weekend in Portland where the Interstate Migrant Education Council met. And I had the opportunity at that time to receive, for the first time, Congressman Ford and Congressman Goodling's recommendation to reduce the eligibility to the two years of services.

What I discovered is that there are a total of 4,394 migrant children out of 36,000 children in the State of Washington that are being served in the Chapter 1 program. Under the current eligibility, which is one year of mobility and 60 months after they settle out to assist those students to transition, we discovered only 2,203 students out of the total population, which is about 52 percent, settled-out migrant children in our State.

Fifty-two percent of 36,000 are receiving Chapter 1 services in the fourth and fifth and sixth year, in the upper end of the continuum of settling out. So the remainder, then, are those kids who are being served. Of the 4,394 students, the remainder are in their first, second, and third years of migrating, which means that, any way you look at it, if you just look at 4,000 children out of 36,000 children, Mr. Chairman, Chapter 1 is not reaching the students who we call migrant children in any shape or form.

Four thousand three hundred and ninety four out of 36,000 unique children, or, in our case, if you do a duplicate count, our Migrant Student Record Transfer System records show that there are 40,000 such children, meaning that some children come into the State and leave and then return, and those are counted more than once. But a unique count would be 36,000. Only 4,394 are being served in the Chapter 1 program.

This illusion that Chapter 1 can pick up these children is further exacerbated by the fact that Chapter 1 does not deal with the whole child concept that we normally address. We provide health services for these students. We provide accident insurance for these students as long as they are enrolled in the Migrant Student Record Transfer System. We try to remove those barriers that we know have a great deal of negative impact on those children, if in fact we want to get them into just a starting point of learning.

And I would submit that Chapter 1 is an excellent program, but it's very restrictive. In our State, it deals with reading, mathematics, and language arts. LEP children, that is limited English proficient children, of which, out of this 36,000, there are about 10,000 of those children in my State, Chapter 1 does not touch those children. It doesn't serve those children.

But in the continuum of the settle-out, I would submit that, if we could just look at one-plus-three and begin to move more aggressively with the reform changes that you are looking at in Chapter 1, the combination of giving us a one-plus-three will allow us to work with the reform that is taking place and to expand the services of Chapter 1.

And at the same time migrant educators should be dedicated in trying to get those students, formerly migrant, into the programs that hopefully, like the Chapter 1, the Title VII, will undergo some changes in order to accommodate the specific needs of the migrant children.

But unless you have those two working in concert, Mr. Chairman, migrant children, formerly, are not going to remain in school and successfully graduate, because the support systems will not be there to capture them and take care of them.

Chairman KILDEE. Ms. Pompa.

Ms. POMPA. Yes. I would like to actually pick up on Raul's point but also caution us and ask us to look not at Chapter 1 and Title VII as they are configured now but as many commissions over the last couple of years have recommended the change in the new reauthorization process. Chapter 1 has not adequately served either limited English proficient children or migrant children, but much of the reason that it has not served those children is, it assumed that there was a program for the migrant children, and this is a program for the other children.

I think we need to look at a reconceptualization of how we look at all our children. It is important that the kinds of things that have been done in the migrant program be carried over into Chapter 1. And if we look at actually the needs of settled-out children, I think there is quite a bit of overlap between those needs and the needs of children in Title VII and in Chapter 1.

I would hope, as Raul said, that what we can do, as we look at the entire picture in the reauthorization, is to look at how we improve all the programs to pick up the needs of all the children.

Chairman KILDEE. Anyone else care to comment? Dr. Reyna?

Mr. REYNA. Yes, sir. The uniqueness of the Migrant Education Program is that it concentrates on the mobility of the migrant child and it concentrates on interstate coordination. For example, you have Texas, which has 123,000 or 133,000 migrant students that impact approximately 40 States in the Nation, and there is a need to work on an interstate coordination basis with other State education agencies to provide the kinds of services, whether they be academic, health, or other support services, for this child who is very mobile.

Another example: For example, we have 11,000 students in grades 9 to 12, migrant students who move throughout the country. They are enrolled in portable assisted secondary courses. And the Migrant Education Program, because it is involved in interstate coordination and concerned with the mobility of the student, has been able to follow these students around the country as they move from State to State, and they have a very good rate of completion of 75 percent.

That is 11,608 students working on portable assisted secondary courses, PASS, or University of Texas courses. And the only reason we are able to follow up with these students and make sure they have a 75 percent completion rate is because the Migrant Education Program concentrates and works with the mobility of migrant education.

Chairman KILDEE. Thank you very much. Thank you all for your testimony this morning. Thank you for joining us.

You all have obviously given a great deal of thought to how we can improve the lives and educational prospects of these children. I myself feel that we have more than a mere legal obligation; we have a moral obligation to these children, and I take that moral obligation most seriously.

Not only will we help those children when we help them get a better education, but clearly we will help our society. An educated person contributes much more to the society. So this is really a question of enlightened self-interest even. It's a moral obligation, but society will improve.

I have seen in Michigan—you mentioned Michigan—where we used to have many more people from the valley coming up to Michigan for the sugar beets, and the cherries, and the peaches. And I have been blessed in my own office with having three people whose roots were in the migrant stream. And sometimes just by luck they were able to get a good education. We can't depend upon that luck. We have to have a program that really reaches out and brings them in and gives them the opportunity.

You find among those people extraordinarily good people. You can find in the migrant stream—this sounds a little schmaltzy—but you can find in the migrant stream the engineer, the physician, the person who works well even in the factory, or the three people who have served the people of my district by serving in my office. And we want to make sure this is not just happenstance.

We want to make sure that the programs really exist and they are improved, that they are dynamic and not static, that we keep improving them and recognize the changes that are taking place in migrant labor even, and the educational needs of migrant education have to reflect those changes. But I think we have to help those individuals and in so doing will help them improve themselves and help all society.

I really appreciate the testimony of the four of you this morning. Obviously, not only do you know a great deal about this, but you care a great deal about this. This is very important.

We will keep the record open for two additional weeks for inclusion of any further testimony. Thank you very much.

[Whereupon, at 11:30 a.m., the subcommittee was adjourned, subject to the call of the Chair.]

○